

HOUSE OF REPRESENTATIVES—Wednesday, June 24, 1992

The House met at 10 a.m.

The Reverend Dr. Karl K. Stegall, First United Methodist Church, Montgomery, AL, offered the following prayer:

Almighty God, judge of all nations, we offer Thee our heartfelt thanks today for the good land which we have inherited. We praise Thee for all of the noble souls who in their day and generation did give themselves to the call of liberty and freedom, counting their own lives not dear, but giving all devotion to establish a land in the fear of the Lord. More especially today, we pray for all Members of this House of Representatives. Enlarge their vision, increase their wisdom, and purify their motives. Let them always remember that they serve a public trust beyond personal gain or glory. May they lead us in the way of righteousness as they acknowledge their dependence upon Thee. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause I, rule I, the Journal stands approved.

Mr. GOSS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GOSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 266, nays 130, not voting 38, as follows:

[Roll No. 221]

YEAS—266

Abercrombie	Bacchus	Brooks
Ackerman	Barnard	Broomfield
Anderson	Bateman	Browder
Andrews (ME)	Beilenson	Brown
Andrews (NJ)	Bennett	Bruce
Andrews (TX)	Berman	Bryant
Annunzio	Bevill	Bustamante
Anthony	Bilbray	Byron
Applegate	Blackwell	Campbell (CO)
Archer	Borski	Cardin
Aspin	Boucher	Carper
Atkins	Boxer	Carr
AuCoin	Brewster	Chapman

Clement	Johnson (SD)	Peterson (FL)
Clinger	Johnson (TX)	Peterson (MN)
Coleman (TX)	Johnston	Petri
Collins (IL)	Jones (NC)	Pickett
Combest	Jontz	Pickle
Condit	Kanjorski	Poshard
Conyers	Kaptur	Price
Cooper	Kasich	Rahall
Costello	Kennedy	Rangel
Cox (IL)	Kennelly	Ravenel
Coyne	Kildee	Reed
Cramer	Kiecza	Richardson
Darden	Kopetski	Rinaldo
de la Garza	Kostmayer	Ritter
DeFazio	Kyl	Roe
DeLauro	LaFalce	Roemer
Dellums	Lancaster	Rose
Derrick	Lantos	Rostenkowski
Dicks	LaRocco	Rowland
Dingell	Laughlin	Roybal
Dixon	Lehman (CA)	Russo
Donnelly	Lehman (FL)	Sabo
Dooley	Levin (MI)	Sangmeister
Dorgan (ND)	Levine (CA)	Sarpalius
Downey	Lewis (GA)	Sawyer
Dreier	Lipinski	Scheuer
Durbin	Livingston	Schulze
Dwyer	Lloyd	Sharp
Early	Long	Shaw
Eckart	Lowey (NY)	Sisisky
Edwards (CA)	Luken	Skaggs
Edwards (TX)	Manton	Skeen
English	Markey	Skelton
Erdreich	Martinez	Slattery
Espy	Matsui	Slaughter
Evans	Mavroules	Smith (FL)
Fascell	Mazzoli	Smith (IA)
Fazio	McCurdy	Smith (NJ)
Feighan	McDermott	Snowe
Fish	McHugh	Solarz
Foglietta	McMillen (MD)	Spratt
Ford (TN)	Miller (CA)	Staggers
Frank (MA)	Mineta	Stallings
Frost	Mink	Stark
Gedjenson	Moakley	Stenholm
Gephardt	Mollohan	Stokes
Geren	Montgomery	Studds
Gibbons	Moody	Swett
Gilman	Moran	Swift
Glickman	Morrison	Synar
Gonzalez	Mrazek	Tallon
Gordon	Murtha	Tanner
Green	Myers	Tauzin
Guarini	Natcher	Taylor (MS)
Gunderson	Neal (MA)	Thornton
Hall (OH)	Nichols	Torres
Hall (TX)	Nowak	Torricelli
Hamilton	Oakar	Towns
Hammerschmidt	Oberstar	Trafficant
Harris	Obey	Unsoeld
Hatcher	Olin	Valentine
Hayes (IL)	Olver	Vander Jagt
Hayes (LA)	Ortiz	Vento
Hoagland	Orton	Visclosky
Hochbrueckner	Owens (NY)	Volkmer
Horn	Owens (UT)	Waters
Horton	Packard	Waxman
Houghton	Pallone	Williams
Hoyer	Panetta	Wilson
Hubbard	Parker	Wise
Huckaby	Patterson	Wolpe
Hughes	Payne (NJ)	Wyden
Hutto	Payne (VA)	Wyllie
Hyde	Pease	Yates
Jefferson	Pelosi	Yatron
Jenkins	Perkins	

NAYS—130

Allard	Bentley	Burton
Allen	Bereuter	Callahan
Armey	Billirakis	Camp
Baker	Bliley	Campbell (CA)
Ballenger	Boehlert	Chandler
Barrett	Boehner	Clay
Barton	Bunning	Coble

Coleman (MO)	Klug	Rogers
Cox (CA)	Kolbe	Rohrabacher
Crane	Lagomarsino	Ros-Lehtinen
Cunningham	Leach	Roth
Dannemeyer	Lent	Roukema
DeLay	Lewis (CA)	Santorum
Dickinson	Lewis (FL)	Saxton
Doolittle	Lightfoot	Schaefer
Dornan (CA)	Lowery (CA)	Schiff
Duncan	Machtley	Schroeder
Emerson	Marlenee	Sensenbrenner
Ewing	Martin	Shays
Fawell	McCandless	Shuster
Fields	McCollum	Sikorski
Franks (CT)	McDade	Smith (OR)
Gallely	McEwen	Smith (TX)
Gallo	McMillan (NC)	Solomon
Gekas	Meyers	Spence
Gilchrest	Michel	Stearns
Gingrich	Miller (OH)	Stump
Goodrich	Miller (WA)	Sundquist
Goss	Molinari	Taylor (NC)
Gradison	Moorhead	Thomas (CA)
Grandy	Murphy	Thomas (WY)
Hancock	Nussle	Upton
Hastert	Oxley	Vucanovich
Hefley	Paxon	Walker
Henry	Penny	Walsh
Herger	Porter	Weber
Hobson	Pursell	Weldon
Holloway	Quillen	Wolf
Hopkins	Ramstad	Young (AK)
Inhofe	Regula	Young (FL)
Ireland	Rhodes	Zeliff
Jacobs	Ridge	Zimmer
James	Riggs	
Johnson (CT)	Roberts	

NOT VOTING—38

Alexander	Hefner	Pastor
Bonior	Hertel	Ray
Collins (MI)	Hunter	Sanders
Coughlin	Jones (GA)	Savage
Davis	Kolter	Schumer
Dymally	McCloskey	Serrano
Edwards (OK)	McCrery	Thomas (GA)
Engel	McGrath	Traxler
Flake	McNulty	Washington
Ford (MI)	Mfume	Weiss
Gaydos	Morella	Wheat
Gillmor	Nagle	Whitten
Hansen	Neal (NC)	

□ 1022

So the Journal was approved.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from California [Mr. DANNEMEYER] come forward and lead the House in the Pledge of Allegiance.

Mr. DANNEMEYER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOME OF DR. KARL K. STEGALL

(Mr. DICKINSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks).

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. DICKINSON. Mr. Speaker, it is my special privilege to welcome to this House a very dear friend and an unwavering source of personal inspiration, the Reverend Karl K. Stegall—pastor of the First United Methodist Church of Montgomery, AL.

Through the years, my wife and I have been touched by Karl's dedication to the Lord and his compassion to aid his fellow man. This dedication is certainly evidenced by his exemplary record of charitable and volunteer service.

An outstanding member of the clergy in Alabama, Karl has played an active role in many local community service organizations, including leadership positions with the Family Guidance Center, the Montgomery Habitat for Humanity, the Montgomery Area Council on Aging, and the Montgomery United Way.

He was a member of Leadership Montgomery's Class of 1991, and has served as past president of the Montgomery Ministerial Union.

Equally impressive has been his participation in church affairs, including serving as a delegate to the World Methodist Council in 1982; treasurer of United Methodist Communications; and, contributing articles for the Upper Room, the Christian Advocate, and other publications.

Karl sits on the advisory board of Huntingdon College in Montgomery, and has served on the board of trustees of Birmingham Southern College.

A native of Sumter County, AL, and a recipient of educational degrees from the University of Alabama, Auburn University, Emory University, and Birmingham Southern College, Dr. Karl Stegall is a clear reflection of Christian wisdom.

I know that I am joined by the entire House in expressing gratitude for his insightful message this morning.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment bills, a joint resolution, and concurrent resolution of the House of the following titles:

H.R. 2818. An act to designate the Federal building located at 78 Center Street in Pittsfield, MA; as the "Silvio O. Conte Federal Building", and for other purposes;

H.R. 3041. An act to designate the Federal building located at 1520 Market Street, St. Louis, MO, as the "L. Douglas Abram Federal Building";

H.R. 3711. An act to authorize grants to be made to State programs designed to provide resources to persons who are nutritionally at risk in the form of fresh nutritious unprepared foods, and for other purposes;

H.R. 4548. An act to authorize contributions to U.N. peacekeeping activities;

H.J. Res. 509. Joint resolution to extend through September 30, 1992, the period in which there remains available for obligation certain amounts appropriated for the Bureau

of Indian Affairs for the school operations costs of Bureau-funded schools; and

H. Con. Res. 331. Concurrent resolution authorizing the use of the Capitol grounds for the Greater Washington Soap Box Derby.

The message also announced that the Senate had passed a bill, joint resolutions, and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1623. An act to amend title 17, United States Code, to implement a royalty payment system and a serial copy management system for digital audio recording, to prohibit certain copyright infringement actions, and for other purposes;

S.J. Res. 221. Joint resolution providing for the appointment of Hanna Holborn Gray as a citizen regent of the Smithsonian Institution;

S.J. Res. 259. Joint resolution providing for the appointment of Barber B. Conable, Jr., as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 275. Joint resolution providing for the appointment of Wesley Samuel Williams, Jr., as a citizen regent of Board of Regents of the Smithsonian Institution; and

S. Con. Res. 112. Concurrent resolution to authorize printing of "Thomas Jefferson's Manual of Parliamentary Practice," as prepared by the Office of the Secretary of the Senate.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5260. An act to extend the emergency unemployment compensation program, to revise the trigger provisions contained in the extended unemployment compensation program, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 5260), "An act to extend the emergency unemployment compensation program, to revise the trigger provisions contained in the extended unemployment compensation program, and for other purposes," and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BENTSEN, Mr. MOYNIHAN, Mr. BAUCUS, Mr. PACKWOOD, and Mr. DOLE, to be the conferees on the part of the Senate.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,

June 23, 1992.

Hon. THOMAS S. FOLEY,

The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 5 of rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House at 6:55 p.m. on Tuesday, June 23, 1992, and said to contain H.R. 2507, the "National Institutes of Health Revitalization Amendments of 1992," and a veto message thereon.

With great respect, I am

Sincerely yours,

DONALD K. ANDERSON,

Clerk, House of Representatives.

NATIONAL INSTITUTES OF HEALTH REVITALIZATION AMENDMENTS OF 1992—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 102-349)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith without my approval H.R. 2507, the "National Institutes of Health Revitalization Amendments of 1992," which would extend and amend biomedical research authorities of the National Institutes of Health (NIH).

Before discussing the flaws of H.R. 2507, I must clarify two misperceptions. First, H.R. 2507 is not necessary to assure that Federal spending continue for biomedical research, or for research related to any disease, disorder, or condition. Second, H.R. 2507 is not necessary to increase support for research targeted at women's health needs. Great progress is being made in the area of women's health under the valued leadership of the first female director of the NIH.

H.R. 2507 is unacceptable to me on almost every ground: ethical, fiscal, administrative, philosophical, and legal. I repeatedly warned the Congress of this at each stage of the legislative process. The bill's provisions permitting the use of tissue from induced abortions for federally funded transplantation research involving human subjects are inconsistent with our Nation's deeply held beliefs. Moreover, it is clear that this legislation would be counterproductive to the attainment of our Nation's health research objectives.

H.R. 2507 is objectionable because it would lift the current moratorium on the use of Federal funds for fetal tissue transplantation research where the tissue is obtained from induced abortions. Let it be clear: This is not a moratorium on research. It is only a moratorium on the use of one source of tissue for that research. I believe this moratorium is important in order to prevent taxpayer funds from being used for research that many Americans find morally repugnant and because of its potential for promoting and legitimizing abortion.

My Administration is strongly committed to pursuing research to find cures and treatments for such disorders as Parkinson's disease, diabetes, and Alzheimer's disease that have been held out as areas where fetal tissue research might be pursued. Fetal tissue transplantation research relating to these disorders can proceed without relying on tissue from induced abortions. Medical experts at the Department of Health and Human Services have assured me that ectopic pregnancies and spontaneous abortions provide sufficient and suitable tissue to meet an-

ticipated research needs. Therefore, on May 19, 1992, I issued an Executive order establishing a fetal tissue bank that will collect tissue from these sources so as to meet the needs of the research community. The bank will provide tissue directly to scientists for their research. This approval truly represents the pro-research and ethical alternative that will allow this research to go forward without relying on a source of tissue that many find to be morally objectionable.

H.R. 2507 also contains fiscally irresponsible authorization levels. The total cost of the provisions in this legislation could exceed the FY 1993 Budget I presented to the Congress by \$3.2 billion. It is exceedingly unlikely, if not impossible, that the Congress can fund the programs contained in H.R. 2507 while complying with the requirements of the Budget Enforcement Act. That being the case, the expectations that this bill will create are unreasonable. Those who suffer from the many diseases and disorders that are the subject of this unrealistic legislation will be sadly disappointed.

H.R. 2507 is also objectionable because its provisions regarding the appointment of "Ethics Advisory Boards" are inconsistent with the Appointments Clause of the Constitution. H.R. 2507 would effectively give these boards unilateral authority to make decisions concerning major research initiatives. As a policy matter, these decisions should be made by the President's chief officer on health issues: The Secretary of Health and Human Services. More fundamentally, however, the Appointments Clause requires that officers vested with this type of power be appointed by the President by and with the advice and consent of the Senate. Instead, H.R. 2507 provides that they are to be appointed by the Secretary of Health and Human Services and then purports to circumscribe the discretion of the appointing authority by imposing various requirements concerning the boards' composition. H.R. 2507's provisions regarding the Scientific and Technical Board on Biomedical and Behavioral Research Facilities and the Office of Research on Women's Health likewise raise Appointments Clause problems.

In addition, H.R. 2057 contains reporting requirements that impair the separation of powers. For example, the bill would require the Director of the National Cancer Institute to submit to specified committees of the Congress the original plan, and any revisions to that plan, regarding certain cancer research. This requirement to submit to the Congress what is in essence a draft plan without the prior review and approval of the executive branch clearly interferes with the deliberative process of the executive branch. The internal workings of the executive branch should be just that—internal. To re-

quire the executive branch to display each step in its deliberative process to the Congress would destroy my ability to speak as the single voice of a unitary executive.

I am also troubled by the increasingly frequent imposition of reporting requirements. H.R. 2507 imposes a significant number of new reporting requirements on an executive branch that already suffers under the burden of literally thousands of such requirements. Last October, I noted that "taken together such reports put a heavy burden on the reporting agencies at a time of scarce resources." Thus, I called for "an effort to minimize reporting requirements, both in terms of the number and frequency of reports that must be submitted, as well as the level of detail required." Bills such as H.R. 2507 move us in the opposite direction.

For these reasons, I am returning H.R. 2507 without my approval, and I ask the Congress to adopt a simple extension of those appropriations authorizations for the National Institutes of Health that need to be extended.

GEORGE BUSH.

THE WHITE HOUSE, June 23, 1992.

□ 1030

The SPEAKER. The objections of the President will be spread at large upon the Journal, and the message and bill will be printed as a House document.

The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

The Chair recognizes the gentleman from California [Mr. WAXMAN] for 1 hour.

Mr. WAXMAN. Madam Speaker, under the customary operations of the House, I yield half of that time to the gentleman from California [Mr. DANNEMEYER].

Madam Speaker, I yield myself 3 minutes.

The SPEAKER pro tempore (Mrs. MINK). The gentleman from California [Mr. WAXMAN] is recognized for 3 minutes.

Mr. WAXMAN. Madam Speaker, I want to be brief, because there are many Members who want to speak on this question.

This legislation is about many things. It is about creating a new program for breast cancer research, the disease that will strike 1 out of 9 American women and will kill 40,000 American women this year. It is about creating a new program for prostate cancer research, the leading cause of cancer in men and the second leading cause of cancer deaths in men. It is about extending programs in heart research, the No. 1 cause of death in the United States. It is about research on aging, on children's vaccines, on osteoporosis, on AIDS, on infertility, on ovarian cancer. It is about the health of America.

But the major point of debate in this bill is the provision regarding fetal-tissue transplantation research. This research is promising for treatment of Parkinson's disease, Alzheimer's, diabetes, spinal cord injury, genetic diseases, and even birth defects.

The bill would reverse the ban that has been placed on Federal funding for such research. It would implement the safeguards recommended by the Reagan-appointed review panel, and it would prohibit the sale of fetal tissue and prohibit the donation of tissue for a specific person.

This is not about whether abortion is legal or not. It is about what happens after an abortion, whether the tissue from an abortion may be used to save another life or simply thrown away.

This bill will not cause more abortions. Women simply do not have abortions in order to donate to research. There is no evidence of it after 4½ years of debate and our review of other research projects around the world.

The President vetoed this bill. He said it is not necessary to increase support for research targeted at women's health needs. He said those needs are already being met. But the fact is no research initiatives in this area were ever begun before this legislation. He said that fetal tissue transplantation research is inconsistent with our Nation's deeply held beliefs. Well, our Nation deeply believes that we should not ignore those people who have Parkinson's and diabetes and Alzheimer's—diseases that may be cured if we allow this research to go forward.

The President of the United States says that research that we are proposing go forward is morally repugnant to many Americans. Well, I find it morally repugnant to tell people with these dreaded diseases that finding a cure for those diseases may be too controversial and it is better to take the tissue of fetuses and throw them in the trash.

Madam Speaker, we are going to have a discussion of this issue, and I hope at the end we will pass this bill notwithstanding the President's veto.

This is research, and we should support research and not follow the short-sighted politics that the President has sought to pursue.

Madam Speaker, I reserve the balance of my time.

Mr. DANNEMEYER. Madam Speaker, I yield myself 2 minutes.

Madam Speaker, this bill grew like Topsy. When it left the House, it authorized some \$4.3 billion. When it came back from the conference what do you know, \$7.3 billion, \$3 billion over the President's request for fiscal year 1993.

If we want to know why spending is out of control, this is a prime example.

I really do not understand what the motivation is behind expanding the regulation that now exists regarding fetal tissue, because the regulation

that the administration now supports, which I support, permits tissue from ectopic and spontaneous abortions to be used for research purposes.

Dr. Mason, the head of the U.S. Public Health Service, recently, in an excellent op-ed piece, on the fetal-tissue bank, pointed out that from these two sources we can receive tissue from some 100,000 ectopic pregnancies and 750,000 spontaneous abortions. We have 500 samples of tissue from the ectopic and 1,500 from spontaneous, a total of 2,000 sources of tissue that can be used for research.

Dr. Mason says that this quantity is sufficient to satisfy the needs of research as presently planned or contemplated, because in the last 30 years they have had 60 experimental fetal-tissue transplants to humans. In other words, the available supply from these two sources is sufficient to meet the need that has existed for the purpose of eliminating or finding cures for now incurable diseases.

There is no need to have the availability of tissue from induced abortions, and the rationale for that is, I think, supplied by the quote from a person today that supports the whole concept of abortion on demand, a feminist by definition, when she said:

There is a tendency of reproductive technologies in which women become the resources whose bodies are mined for scientific gold, whose body becomes raw material. We are also concerned that women themselves do not become handmaidens for medical procedure transplants.

Mr. WAXMAN. Madam Speaker, I yield 1 minute to the gentlewoman from New York [Ms. SLAUGHTER].

□ 1040

Ms. SLAUGHTER. Madam Speaker, the women of America have been dealt a harsh blow. When the President vetoed the NIH reauthorization bill yesterday, he as much as admitted his administration's indifference to the life and death issues which plague women.

To the grieving daughter who wonders if she will soon develop breast cancer because the disease just claimed the life of her mother, the President's veto says, "I don't care."

To the young woman dying of ovarian cancer who might have the hope of living if only scientists knew how to detect the cancer in its earliest stages, the President's veto says, "I don't care."

The Director of NIH, Dr. Bernadine Healy herself, used to say: "Women's health [at NIH] has always taken a back seat." Well, today we women who thought we would venture to take a step forward were put back in our place. The administration says women's health research is unnecessary. They prefer to focus their energies and their rhetoric on some ambiguous notion of family values; but when are they going to realize that American women are at the heart of every American family?

When are they going to realize that a healthy family needs a healthy mother, healthy sisters, and healthy daughters? And, how long must American women—whose very own tax dollars pay for the health research undertaken by NIH—wait for the administration to wake up and pay attention to the health issues they care about?

We will wait no longer. Too many women's lives have been cut short. I will vote today to override the President's veto of the NIH reauthorization. I hope my colleagues will listen to the pleas of the women they represent and join me in this vote to reaffirm the priority of women's health in this country. America's women will be watching and will hold us to account.

Mr. DANNEMEYER. Madam Speaker, I yield 3 minutes to my colleague, the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Madam Speaker, Dr. C. Everett Koop, the highly distinguished former Surgeon General, fully concurs with, supports and endorses the President's decision to establish a fetal-tissue bank to test the efficacy of such research and to do it in an ethical way.

To the best of my knowledge, there is a clear consensus that the President's fetal-tissue bank raises no ethical concerns whatsoever.

On the other hand, the research on unborn babies authorized in the NIH bill raises serious moral and ethical issues that cannot be ignored or brushed aside.

Sadly, in the legislation rightly vetoed by the President, unborn children are dehumanized, victimized, and maligned. These vulnerable and helpless victims are reduced to the status of guinea pig, of property to be exploited for their organs and brain tissue. To say that these babies are not treated with respect or dignity would be the understatement of the year.

Let me again remind Members that if this flawed legislation becomes law, a close collaborative relationship between abortion mills and the research community would be established. Abortionists who make money by cruelly cutting and dismembering healthy baby girls and boys would now find additional rationalization for plying their deadly craft. Establishing a federally subsidized program whereby baby brains and other body parts obtained in this way are provided to researchers, makes researchers—and us—accessories to acts of medical child abuse. There is little doubt that Federal funding would serve to both legitimize and facilitate this unethical practice.

If you want to get a clear picture of what a vote to override the veto will subsidize with taxpayers funds, consider this account of fetal brain tissue extraction, the brave new world embraced by this legislation, from the June 1989 issue of Archives of Neurology:

Two methods to collect fetal material were used. With the first method, a plastic cannula connected to a 60 ml syringe was inserted into the uterus. Under ultrasound guidance, the opening of the cannula was directed to the fetal head. Suction was applied, and the fetus was slowly aspirated and fragmented into the cannula. Alternatively, a similar low-pressure vacuum aspiration technique (regulated by a vacuum pump), but without ultrasound guidance and using a metal cannula, was employed.

You may be shocked to learn that one member of the research team that conducted these hideous brain stealing experiments included one of the NIH Advisory Board panelists, Dr. Barry Hoffer of the University of Colorado, who was among those who voted to overturn the administration's moratorium on fetal tissue research from induced abortion.

It is outrageous that ultrasound imaging—a marvelous diagnostic tool used to detect certain anomalies in unborn kids and to measure fetal growth—is being misused to discover the whereabouts of a baby's brain in order to destroy the baby in a way that is most likely to yield usable baby brain tissue.

If you think this kind of cruel research is ethical, applying suction to the skulls of helpless infants—your vote is to overturn the President's veto.

But it seems to me that we would not treat our pet dog or cat with the same cruelty, indifference, irreverence and insensitivity afforded unborn children in this legislation.

Let me note, Madam Speaker, that the issue today that Members are objecting to is not women's health- or cancer-related research. To tangibly underscore my commitment to cancer research, I have introduced H.R. 5340. H.R. 5340 would provide \$2.2 billion for cancer research with \$325 million for breast cancer research, and \$75 million for ovarian and cervical cancers. The legislation has already been cosponsored by 33 Members of Congress.

I deeply regret that abortion has been inappropriately included in the NIH reauthorization bill and hope that Members will again vote against the legislation and uphold the President's veto. We can then move on worthwhile legislation to authorize important funding for the NIH and cancer-related research.

Mr. WAXMAN. Madam Speaker, I yield 1 minute to the gentleman from Oregon [Mr. WYDEN], an important member of the subcommittee.

Mr. WYDEN. Madam Speaker, I thank the gentleman for yielding this time.

Madam Speaker, when so many American families are being battered by Alzheimer's, Parkinson's, and diabetes, it is wrong to take their chance for a better life by voting to protect this veto.

The issue is not primarily one of a shortage of tissue, as our colleague, the

gentleman from California [Mr. DANNEMEYER] has said. The issue is Federal funding and the evidence shows that if the Federal Government does not fund this research, it just will not get done. The Federal ban on transplantation research has had a chilling effect on all research in this country, even that done with private dollars.

I met on Saturday in Portland with representatives of the Alzheimer's Association, the Parkinson's Society, and others. They talked passionately about the need to this veto. They made it clear to me that we have a choice. We can go with an undocumented, unproven theory, that fetal transplant research might promote abortions, or we can vote to override and support proven, documented evidence that this research can help save lives.

Vote to override.

Mr. DANNEMEYER. Madam Speaker, I yield 2 minutes to my colleague, the gentleman from Virginia [Mr. BLILEY].

Mr. BLILEY. Madam Speaker, I rise in strong support of the President's veto of the conference report on H.R. 2507, the National Institutes of Health Revitalization Amendments of 1992. The bill is seriously flawed in every respect and is irresponsible from a fiscal and management viewpoint.

Madam Speaker, I have four reasons for supporting the President's veto on this bill. Individually, each of these reasons is compelling; the combination of all four is overwhelming.

First and foremost, the conference report represents deficit spending at its worst. It authorizes spending of an estimated \$3 billion above the President's fiscal year 1993 budget request and the House passed bill. We need to remember that when the House originally passed the bill it cost \$4.3 billion; the conference report then upped the ante to \$7.3 billion. Members who voted for the balanced budget amendment, as well as those who pledged to find alternative means of addressing the deficit, cannot possibly vote to override the President's veto in good conscience.

Second, the conference report includes provisions that five individuals—who are accountable to no one—unprecedented power over the HHS Secretary. The Secretary is required to appoint an ethics advisory board comprised of private citizens whenever he declines to fund research on ethical grounds. The decision of these individuals could then overrule objections by the Secretary and the President. Thus, these new boards would have unilateral authority to make important decisions concerning major research initiatives. While this provision is usually discussed in the context of fetal transplantation, it has much wider implications—a point which has tended to get lost in the emotion of this debate. This provision clearly violates the appointments clause of the Constitution. It is blatantly unconstitutional.

Third, the conference report is weighed down with a new construction program for universities authorizing spending of \$100 million. This is not new money; it will have to come out of existing research dollars—in real terms it will mean the loss of 400 research grants per year. This \$100 million is in addition to the \$1 billion in indirect costs for the maintenance, renovation, and replacement of university owned facilities that the Federal Government already pays.

Finally, H.R. 2507 authorizes the NIH to purchase 300 acres of land in the State of Maryland for a satellite campus. This provision is pork barrel, plain and simple. It was never the subject of hearings or any type of serious scrutiny. The administration letter correctly points out that this provision confers special benefits to a single geographic location.

I urge my colleagues to join me in voting to sustain the President's determination that this bill represents bad policy, inappropriate scientific judgment, and total fiscal irresponsibility.

Mr. WAXMAN. Madam Speaker, I yield 1 minute to the gentleman from New York [Mr. SCHEUER], a member of our subcommittee.

Mr. SCHEUER. Madam Speaker, the President's veto of the NIH Revitalization Act is a tragic abuse of his veto power. Here is a President, acting on behalf of a tiny, adamant minority, who vetoes literally life-giving legislation for ideological reasons.

The central issue of this bill is the lifting of the ban on federally funded research on fetal tissue transplants. It has been seized upon by a small number of those in the pro-life community who are not satisfied with banning the use of Federal funds to pay for abortions for poor women, for family counseling by U.S. physicians, or for providing population planning assistance to developing countries around the world.

Madam Speaker, fetal tissue transplant research should have nothing to do with the abortion debate. It has to do with saving the lives of tens of millions of people.

The fetal tissue issue touches almost everybody, because all of us know someone who could be cured by the miracle of transplanting this regenerative tissue, which is otherwise discarded, into living human beings.

I have a 24-year-old staff member who's mother is stricken with Parkinson's disease. This morning, when he heard of the veto, he told me:

You know, my Mom has had Parkinson's for 17 years. Her one hope these last few years has been for progress in fetal tissue transplant research. But the last two Presidents have made it a political issue, holding her hostage to the abortion debate while her chances of responding to such a transplant grow dimmer and dimmer. How can the President play ideology on an issue that is not a question of right or wrong but one of life and death?

H.R. 2507 also requires that women and minorities be included in clinical research studies. History has repeatedly shown that women have been treated as second-class citizens in business, education, and social relations. Health care has proven to be no exception.

Studies of the treatment of heart disease have revealed that women are treated less aggressively than men and there is very little data available on the effectiveness of heart disease treatment on women.

Under H.R. 2507, researchers will no longer assume that women are just like men, and will begin to examine the differences in the treatment of disease that ultimately will expand the knowledge necessary to extend the lives of women in this country.

This bill would authorize \$400 million for research on breast and ovarian cancers, as well as \$30 million for State cancer registries. The President's budget provides absolutely no money for research on these types of cancers.

By vetoing this bill, the President is saying that women are not worth the hassle or the expense to be saved from life threatening diseases. He is telling the tens of millions of citizens suffering from the ravages of Parkinson's and Alzheimer's that they must continue suffering. He is sending a frightful message to this country, and the House must take the initiative to prevent this flawed decisionmaking to become a death warrant for millions of people of this Nation.

Madam Speaker, for the sake of everyone who could benefit from H.R. 2507, I urge my colleagues to override this veto. It's truly a pro-life vote that, whatever you may think about abortion, is a worthy one to cast.

Mr. DANNEMEYER. Madam Speaker, I yield 4 minutes to my colleague, the gentleman from Georgia [Mr. GINGRICH].

□ 1050

Mr. GINGRICH. I thank the gentleman for yielding this time to me.

Madam Speaker, I want to say categorically that there should be no discrimination against women and minorities with respect to inclusion in clinical research studies. This is certainly the Bush administration's position. Dr. Bernadine Healy, the Director of the National Institutes of Health, created the women's health initiative at NIH. This study is one of the largest and most ambitious studies of specific health problems facing women ever attempted.

However, as Dr. Healy stated in a letter section 131 of this conference report would have grave implications for this clinical study. Why? Because the conference report creates a Federal mandate for a quota system of minorities and women as subjects in clinical studies at the NIH. This legislation re-

quires that women and members of minority groups be included in all clinical research projects. The statute specifically states that the additional, and possibly prohibitive costs, of including minorities and women in a research project cannot be a permissible consideration for exclusion of these individuals from a study.

In addition, the statute specifically dictates to the highly trained scientific researcher the type of methodology and statistical analysis he or she should use in designing the study. The legislation mandates that every project is designed and carried out in a manner that provides for a valid statistical analysis of whether the variables being tested in the study affect women and members of minority groups differently than other subjects. This would have the effect of multiplying the sample size and cost for any given clinical study by a factor of at least 5 to 10, depending upon the study. I am sure that our world class biomedical scientists will be shocked to learn that Congress is now directly interfering with the design and analysis of their complicated research projects.

Take a look at how this mandate is going to affect research in the real world. Biostatisticians at the NIH were asked to look at how the quota requirement of this legislation would affect the women's health initiative.

Madam Speaker, I want to place in the RECORD the letters from Dr. Healy, Dr. Sullivan, and from Dr. Harlan and Dr. Pinn, with a set of charts to which I will refer.

[Slides not reproducible in the RECORD]

This first board shows the current study design of the women's health initiative. The dietary intervention trial in postmenopausal women has a sample size of 48,000 women. This study is determining whether a low fat diet reduces the incidence of breast and colon cancer in postmenopausal women. Women are randomly assigned to a control group or an experimental group where they receive special dietary counseling concerning fat consumption. The sample size of 48,000 assures that statistical differences between the groups can be detected. The cost of this study is \$26 million per year.

Here is what biostatisticians at the Center for Disease Prevention and the Office of Research on Women's Health at NIH have determined the study would look like under the quota requirement of this legislation. To meet the minority mandate of statistically valid samples we now have five ethnic groups, each of 48,000 women. The statisticians have determined that the total sample size would have to be 240,000 for a cost of \$130 million per year.

Let me repeat that—this study would cost \$130 million—five times the amount of the current study. And the

sample size 240,000 would make it one of the largest clinical studies of all time. And since the bill says that cost cannot be a consideration in determining the research design, NIH will be forced to accept this result. As a result, significantly fewer research studies will be funded. In fact, if this study was conducted under the requirements of this act, the annual cost of this single study would greatly exceed the total 10-year cost of the entire women's health initiative.

Let me quote from a letter from Dr. Bernadine Healy, to Secretary Sullivan, concerning the effect of this research mandate on the women's health initiative.

I strongly endorse the need for representation of women and minorities in clinical research. * * * However, the requirement embodied in H.R. 2507 would have grave implications for clinical research.

The mandatory design of all NIH clinical trials to include representative populations for each ethnic group will greatly limit our ability to conduct the large number of clinical studies on many different diseases and necessitate the conduct of only a few very large trials on a smaller number of diseases.

Finally, I would like to quote from a letter I received from Secretary Sullivan concerning this provision:

Of critical concern is section 131 of this bill, which—while well intentioned—is unacceptable and unworkable on scientific grounds * * * Such an inflexible requirement could in fact jeopardize the initiation of NIH clinical trials, including the very trials that would provide data relevant to women's health.

This one example demonstrates that this provision of the legislation, while well intentioned, is totally unrealistic in the real world. The bottom line effect of this provision is that biomedical research will be stifled—under current law five studies could be conducted for the price of one under the conference report. Mr. Speaker, this alone is reason enough to sustain the President's veto of the conference report.

The material referred to is as follows:

PUBLIC HEALTH SERVICE,
NATIONAL INSTITUTES OF HEALTH
Bethesda, MD, May 28, 1992.

Hon. LOUIS W. SULLIVAN,
Secretary of Health and Human Services, Washington, DC.

DEAR SECRETARY SULLIVAN: I am writing to alert you to the impact on clinical research that would occur if the Clinical Research Equity Act contained in Title I, Subtitle B of H.R. 2507, the National Institutes of Health (NIH) Revitalization Amendments of 1992 was enacted.

As you know, I strongly endorse the need for representation of women and minorities in clinical research. I believe that the NIH is making great strides to insure their appropriate inclusion. However, the requirement embodied in H.R. 2507 would have grave implications for clinical research. It specifies that, "the NIH Director shall ensure that the project is designed and carried out in a manner sufficient to provide a valid analysis of whether the variables being tested in the research affect women or minorities differently than other research subjects." This

would have the effect of multiplying the sample size for any given group by a factor of at least 5 to 10, depending upon the study. A clinical study comprising both men and women would need an approximate tenfold increase in size to test for differential effects by gender and ethnicity.

This requirement would affect the design of all clinical studies despite the fact that no important differences in effect across race/ethnic groups are expected for most clinical questions. Where differences would have been expected, the study design including sample size would be altered to provide for reliable group analysis. Paradoxically, the excessive costs this Act demands could hamper planned investigations of racial/ethnic differences that have already been identified.

For example, the Dietary Intervention Trial of the Women's Health Initiative already requires the inclusion of 48,000 women at a cost of \$26 million a year for fourteen years. This study is intended to determine if a reduction in dietary fat will have an impact on the incidence of breast and colon cancer in post-menopausal women. If it were necessary to answer the questions of the Dietary Intervention Trial in 5 ethnic groups, the number of women required would be 5 x 48,000 or 240,000, and the cost would be approximately \$130 million per year for fourteen years. If conducted under the requirements of this Act, the annual cost of this single study would greatly exceed the annual cost of the entire Women's Health Initiative and all of its attendant trials.

In planning clinical trials, NIH investigators strive to answer health questions which affect the entire population irrespective of ethnicity. The structure of a clinical trial allows us to generalize the results of the trial to other people with characteristics similar to those who entered the trial. When it is suspected that there may be differences among ethnic groups, NIH scientists will continue to conduct trials to determine those differences. However, the mandatory design of all NIH clinical trials to include representative populations for each ethnic group will greatly limit our ability to conduct the larger number of clinical studies on many different diseases and necessitate the conduct of a only a few very large trials on a smaller number of diseases.

This information must be seriously considered do to the fact that it would greatly hamper our ability to conduct clinical research.

Sincerely yours,
BERNADINE HEALY, M.D.

THE SECRETARY OF HEALTH
AND HUMAN SERVICES,
Washington, DC, May 20, 1992.

Hon. NEWT GINGRICH,
House of Representatives,
Washington, DC.

DEAR NEWT: This is in further response to our mutual concern about the peer review provisions contained in the conference agreement on H.R. 2507, the NIH Reauthorization Act of 1991.

Of critical concern is Section 133 of this bill, which—while well intentioned—is unacceptable and unworkable on scientific grounds. This section would require that a large percentage of the clinical trials conducted or supported by the NIH assess gender and racial differences in treatments under evaluation even in the absence of a scientific reason to suspect that such differences exist. Such an inflexible requirement could in fact jeopardize the initiation of NIH clinical trials, including the very trials that would

provide valuable data relevant to women's health.

As you know, the conference agreement on H.R. 2507 contains a number of other unacceptable provisions previously addressed by the Administration. These provisions are discussed more fully in the attached Statement of Administration Policy.

Sincerely,

LOUIS W. SULLIVAN, M.D.

PUBLIC HEALTH SERVICE,
NATIONAL INSTITUTES OF HEALTH,
Bethesda, MD, May 27, 1992.

To: Bernadine Healy, M.D., Director, NIH.
From: Associate Director for Disease Prevention.

Subject: NIH Reauthorization Legislation

The purpose of this memorandum is to alert you to the potential impact on clinical research of proposed Clinical Research Equity (Title 1, Subtitle B) of the NIH Reauthorization Legislation.

Women and minorities should be included in clinical research studies and attention should be directed to insuring their inclusion and we all endorse the need for their representation. However, the following requirement has grave implications for clinical research. It specifies that, "the NIH Director shall ensure that the project is designed and carried out in a manner sufficient to provide a valid analysis of whether the variables being tested in the research affect women or minorities differently than other research subjects." As specified, this would have the effect of multiplying the required sample sizes for clinical trials and epidemiological studies. The sample sizes for observational and interventional studies are based on providing adequate power to reliably detect estimated differences in effect. If the differences must be detected for each group the total sample needed would be multiplied by factors of 5 or 10. Assuming 5 minority groups, a single gender study such as the Women's Health Initiative would need 5 times the current estimated size of 50,000 women to reliably detect differential responses of each race/ethnic group. A clinical study comprising both men and women would need approximately tenfold increase in size to test for differential effects by gender and ethnicity.

This requirement would affect the design of all clinical studies despite the fact that no important differences in effect across race/ethnic groups are expected for most clinical questions. Where differences would have been expected, the study design including sample size has been altered to provide for reliable group analysis.

This provision would have a stultifying effect on clinical research and paradoxically could hamper planned investigation of racial/ethnic differences that have been identified. As the sample size increases severalfold, issues of feasibility, availability of all groups within a particular geographic region and cost are similarly multiplied. Researchers in some geographic areas may not have adequate numbers of certain minority groups available. Several studies are under way or being planned to explore differences in disease risk or treatment response in a particular racial/ethnic group (e.g. hypertension in African Americans). Would these studies be required to increase the sample size so as to include other groups? This could actually impede scientific investigation of important differences.

In summary, the provision would profoundly and adversely affect the conduct of clinical research, however well intentioned it may be.

WILLIAM R. HARLAN, M.D.,
Associate Director for
Disease Prevention.
VIVIAN W. PINN, M.D.,
Director, Office of Research on Women's Health.

Mr. WAXMAN. Madam Speaker, I yield 1 minute to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Madam Speaker, I thank the gentleman for yielding this time to me.

Madam Speaker, I must say I am very angry about the prior presentation and the fact that the gentleman would not yield to any of the Congresswomen on the floor, because that is the heart of what this issue is about. This issue is about the fact they have always told us it was cheaper to keep women out of research because we were more chemically complex.

Yes, it may cost more to put women in this bill, but let me tell you what it would cost if you do not put women in this bill. We know, we know there have been absolutely no heart disease studies on women, and we know on and on and on and on, and the whole reason that the director has this study and is pushing for this study is to make up for the years of leaving women out of these studies.

Now, if the gentleman from Georgia [Mr. GINGRICH] wants to stand up and call this a quota bill, listen, he sees quotas in the clouds. I want to tell you that women are paying their quota of this research. They have been paying equally into this research, and they have been left out of it because we have been told we are more complex.

Listen, we are not only more complex, we are more politically sophisticated. This is finally putting us in, and we are getting tired of being left out and we are tired of seeing deaths and people's lives being played with.

I must say please vote to override, not because I say so but because we have 35 groups saying so and many, many biological researchers saying so.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. MINK). The Chair would advise our guests in the gallery that they are not permitted to express an opinion either way on the material and matters being discussed on the floor.

Mr. DANNEMEYER. Madam Speaker, I yield 2 minutes to my colleague, the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Madam Speaker, as a father of three daughters out of our five offspring and four granddaughters out of eight grandchildren, I would like to associate myself with our Republican whip's remarks and change the focus back to abortion, if I could.

My coach on this issue is my wife. She is watching the debate. She has

just sent a little message from the Cloakroom, and I would like to tell you what my wife asked me to point out.

The last issue of Life magazine 1 or 2 months ago that handled this whole abortion issue has doctors or their assistants running down the hall with a note pad, asking a woman who is about to go in for a late abortion to sign the release so that they can get at her baby before it is completely dead and strip away all the various body parts.

As my wife says, if they want the skin for burn research because it is human skin, how is it that it is not human life that we are talking about here with the human skin?

I remember vividly a team of doctors from the United States went over to Chernobyl to try to rescue these heroic Soviet firemen, went right into the radioactive cauldron itself, the helicopter pilots dumping sand on the radioactive exploding reactor. They wanted bone marrow to put injections right into the spines and their bone marrow trying to save them. There were six severely injured firemen and helicopter crews. The American doctors were saying, "Get us more late-term abortions, more abortions, we need more material to work with." They saved nobody.

A major university in New York City and another one in Los Angeles have been dealing with this type of research for years, getting the latest abortions they possibly can. They do not want a little zygote, they do not want a 12-week-old baby, they want well-developed fetuses. The more liver tissue, the more brain tissue, the more bone marrow the better. And they saved no one to date.

In Sweden, taking brain matter right out of the baby's head in the womb directly into some patient to extend life, pathetic, pathetic.

Vote to sustain the President's veto, vote for life.

Mr. WAXMAN. Madam Speaker, I am pleased to yield 2 minutes to the gentlewoman from California [Mrs. BOXER].

Mrs. BOXER. Madam Speaker, I thank the gentleman for yielding this time to me.

Madam Speaker, I am shocked at the antiwomen remarks of the Republican whip, and I associate myself with the remarks of my colleague, the gentlewoman from Colorado [Mrs. SCHROEDER].

Let me tell you, if we are for family values in this Chamber, we need to override this veto. Rightwing ideology blinded this President to compassion and common sense, and we must now muster a supermajority to fight the far right.

It is not compassion to find a cure for Parkinson's and diabetes and Alzheimer's? Is it not common sense to proceed with science as long as we know we can protect against encourag-

ing abortion? Yes, it is common sense and compassion to allow for fetal tissue research.

It is cruel, it is cruel to stop it.

□ 1100

Madam Speaker, let me read part of a letter from a woman whose father is suffering from Parkinson's, and I would ask my colleague, the gentleman from California, to listen to her words.

BETHESDA, MD, June 15, 1992.

HON. BARBARA BOXER,
House of Representatives, Washington, DC.

DEAR BARBARA: This letter is about my father and his heroic battle with Parkinson's disease, which he may well lose.

My father was first diagnosed as having Parkinson's disease 15 years ago. At first the medication he took was effective to control most of the symptoms, so that life was not very different from the way it used to be. My father was active in his law practice, taught Intellectual Property law as an Adjunct Professor of Law at Brooklyn Law School, and enjoyed playing tennis, especially singles several hours a week. We would often play together and he would invariably beat my brothers and myself with sheer persistence and it was real fun. Throughout these early years life was pretty normal and Parkinson's was hardly the subject of conversation.

Then this ravaging disease began to take its toll, slowly but surely. At first my father began manifesting difficulties in running and this extended to walking as well. For no reason at all he would suddenly fall, usually on his knees, in order to protect his body and when this occurred on the tennis court or elsewhere, he would immediately get up and continue whatever activity he was involved in as if nothing had happened. He would keep falling, get up and ignore the difficulty.

Then he began to have involuntary movements (not tremors) of the arms, legs and neck called dyskinesia. At first they were slight and infrequent, but have now become much more severe and nearly continuous to the point where it causes enormous discomfort. He cannot sit through a movie, a play, a concert or the opera, which he loves, without endless perspiration, so that at the end of the performance he is totally drenched through and through with perspiration. None of these problems, however, led him to discontinue his professional activities. He continues to drive to his office five days a week, 9:00 to 5:00, although his output has been considerably reduced. As his legs kept giving way, the knee caps were taking the brunt of the impact and this led my father to use knee pads to protect his knees. He lives in constant fear of being seriously injured as a result of a fall as happened to Morris Udall. His speech, which is an important part of his life, being a lawyer and being a person who lives to engage in discussions with his friends and his family, began to become affected. As time went by the situation became more aggravated. His walking became a real problem before he took his first dosage of medication and the pain of the trauma began to show in his eyes and face. Whenever I look at photographs taken over the years, I can see the gradual increase of pain in his face and his eyes. But he never complained. Not once have I heard him complain.

These days it is often difficult to understand him when he speaks because of the low energy level, the stuttering and stammering which I know affect him very deeply. He was a man who always had a deep, resonant, articulate voice. He was a terrific public

speaker as demonstrated when he served on the Board of Education. As a result of his speech problems he withdraws from participation more often than not. It is painful for me and my family to witness this deterioration.

Because of his tendency to fall without warning, it is not possible for him to lift, hug and hold Sam, and his other grandchildren and this is what pains him the most. Reluctantly, he bought a cane to assist him in walking and his grandchildren now recognize his presence when they see the cane. He is the grandpa with the cane. His deterioration seems to be increasing more rapidly as time goes by.

There is one area, however, which has given him hope and that is the recent success shown by fetal tissue transplant into the brain. We discussed this surgery ever since it was first disclosed back in 1988 and whenever we did my father's face would change and his eyes would light up since for the first time there seemed to be a possibility of seriously reducing or eliminating the devastating effects of the disease. But this was not to be. President Reagan overruled his own Commission's recommendation and instituted a ban on use of fetal tissue for research. This was a terrible blow for all of us. For four years the research has been virtually halted depriving my father and millions like him of a chance for a more meaningful life. It was felt, however, when Bush was elected in 1989, that he would take a more compassionate view of the situation and reverse the ban. This, too, was not to happen under pressure of the right-to-life movement.

I don't understand how a minority in this country can rule and play God with the lives of millions of sufferers of Parkinson's, Alzheimers, diabetes and other diseases with the blessing of the President of the United States. The argument offered by the proponents of the ban is that lifting the ban would encourage abortions. This is an insult to the women of the country. There is absolutely no evidence to support this argument. What is plain is that so long as abortion is legal, as many as half a million fetuses a year are discarded into the garbage, instead of being used to save a life or improve the quality of life. The ban is clearly an anti-life measure and Bush's actions are incomprehensible, especially in light of the reversal of so many prior proponents of the ban, such as Otis Bowen and Senator Strom Thurmond, whose daughter has diabetes and who can be helped by the fetal research.

The most recent effort to remove the ban on use of fetal tissue for research has been most encouraging, especially in the Senate where it passed by an overwhelming majority and where it can override Bush's expected veto. The bigger problem is in the House, and there the original vote on lifting the ban was somewhat short of the necessary 2/3. Reversing the ban represents the only glimmer of hope for my father and others like him.

I want to express my appreciation to you for the strong and unwavering support you have given to this effort to enable fetal research to proceed.

I also plead with you to exert whatever influence you may have on those Representatives who voted to support the ban, so that the veto may be overridden in the House as well and provide an additional point of light in all our lives.

Sincerely yours,

CLAIRE LITTMAN.

Madam Speaker, these words are moving, and these words are correct.

Where are our family values when we turn away from the real enemies that face our families, the diseases that take away our loved ones one painful day at a time?

Please, please, override this veto in the name of family values, compassion and common sense.

Mr. WAXMAN. Madam Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. SMITH].

Mr. SMITH of Florida. Madam Speaker, I rise in full support of the override of this veto to lay to rest once and for all that this position taken by most people in this country is not the real pro-life issue, and I urge support for the override.

Mr. WAXMAN. Madam Speaker, I yield 1 minute to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Madam Speaker, President Bush and opponents of this bill refuse to understand the choice this measure represents. How sad that they would characterize it as a referendum on abortion. It is not. Rather, this legislation would end a misguided and tragic policy that blocks vital research into cures for diabetes, Parkinson's and Alzheimer's disease.

The bill forthrightly addresses transplantation issues and the implications for abortion. It specifically prevents the possibility of encouraging abortions. The decision to donate fetal tissue must be separate from the decision to abort. Fetal tissue may not be directed to a specific donor, nor may it be sold or purchased.

I find it sad and depressing that opponents of this bill choose to ignore responsible voices in the pro-life community who support fetal tissue research including President Reagan's Secretary of HHS, Dr. Otis Bowen, who know that this bill is neither pro-choice nor pro-life—it is pro-science. Rather, opponents blindly oppose research that gives hope to millions of Americans with potentially curable diseases.

Madam Speaker, abortion is legal in this country. By this veto the President will not stop women from having abortions. But he will prevent researchers from finding cures for deadly diseases. I urge the Members to override this ignorant, misguided veto.

Mr. WAXMAN. Madam Speaker, I yield 1 minute to the gentleman from California [Ms. PELOSI].

Ms. PELOSI. Madam Speaker, I thank the gentleman from California [Mr. WAXMAN] for yielding this time to me.

Madam Speaker, many of our colleagues will address the important initiatives that are contained in this legislation, important initiatives for biomedical research. I just want to address my remarks to some of our colleagues who may be undecided on this issue. I say to them that we make hundreds of votes each year. None of them

possesses the power that this vote gives us today, the power to make a drastic difference in the lives of the American people in caring for their loved ones and finding cures for some of their illnesses. I say to our colleagues who are thinking about this legislation to pay attention to the professional judgment recommendations of the scientific and medical community, many of whom wrote to President Bush saying, as biomedical researchers, they can attest to the dearth of reliable information regarding women's health issues, and they urge us to redress this historical oversight referred to by the gentlewoman from Colorado [Mrs. SCHROEDER] earlier.

I say to my colleagues who may be in doubt on this legislation, "Think of what power you hold in your hand. Give the benefit of the doubt to the American people whose loved ones are suffering and who look to us for hope. How can you be so sure that you are right when the scientific and medical communities disagree with you?"

I say to my colleagues, "Think about it."

Madam Speaker, I rise in strong support of the motion to enact the National Institutes of Health [NIH] revitalization amendments over the President's objections.

The narrow issue before the House is whether to lift the current administration-imposed prohibition against fetal tissue transplantation research. New advances in research involving the transplantation of healthy fetal tissue hold promise for the treatment and cure of many diseases such as Alzheimer's disease, Parkinson's disease, diabetes, and even AIDS.

Today's vote is about hope. We have the opportunity to save or significantly improve quality of life for millions of Americans who would benefit from this research. We have the opportunity to give hope to the families and loved ones of those suffering with these tragic diseases.

Unfortunately, President Bush has made a political commitment to a group of antiabortion extremists to support them even when they are clearly wrong. We cannot let extremism win this debate. Too many lives depend on the outcome of this vote. I strongly urge my colleagues to vote for hope—vote to override the President's veto.

Mr. DANNEMEYER. Madam Speaker, I yield 30 seconds to the gentleman from California [Mr. DORNAN].

Mr. DORNAN of California. Madam Speaker, this is important, to get this in the RECORD, because of the last three speakers, two on that side and one on this. There was a letter from Linda Gorash, assistant professor, child psychiatry and pediatrics, University of Pittsburgh, in response to the article of the gentleman from California [Mr. WAXMAN] last month, "Research that could save lives."

The article entitled "The Failure of Fetal Transplants" is as follows:

First, no evidence of a reduction of Parkinson Disease symptoms due to implanted fetal

cells has been demonstrated from animal model work or from patients undergoing this drastic procedure. A review published in the Journal of Neurology concludes "There is simply no evidence to prove that either clinical or experimental Parkinsonism in primates is specifically cured by transplantation of tissue into the brain. * * * The irreversible tragedy is the death and damage to many patients and their families produced by the extravagance of the transplantation fad."

Second, contrary to Rep. Waxman's claims, the living tissue is taken from a living fetus. The 1989 Archives of Neurology published the most detailed description of this procedure, outlining that an unborn baby's brain must be selectively sucked out by a tube inserted in the mother's womb to ensure that the living fetal brain cells are harvested in fresh transplantable condition. This process kills the fetus, who is then aborted.

Human fetal brain tissue transplantation fails to meet minimum standards of either effectiveness or ethical medical practice.

Mr. WAXMAN. Madam Speaker, I yield myself 30 seconds simply to reply to the fact that this research does not work yet because the research has been stopped. But among those who want this research and want this bill to pass are the Parkinson's Action Network, the Parkinson's Disease Foundation, and the Parkinson's Support Groups of America. They do not want this research stopped because of some theoretical argument that more women are going to get abortions in order to have fetal tissue research.

Madam Speaker, that is nonsense. Everyone knows it is nonsense. Let us get the research going so we can see if it will work.

Mr. DANNEMEYER. Madam Speaker, I yield myself 30 seconds at this point to respond to my colleague, the gentleman from California [Mr. WAXMAN]. I am quoting now from Olle Lindvall who wrote last year:

Although animal experimental data are very promising and clinical trials have given encouraging results, it must be underscored that there exists at present no treatment for Parkinson's disease based on intracerebral transplantation.

It is important that patients and relatives are informed that this research is still at the experimental stage, and that widespread clinical trials with transplantation in Parkinson's disease are not warranted at this time.

Mr. WAXMAN. Madam Speaker, I yield 1 minute to the gentlewoman from Washington [Mrs. UNSOELD].

Mrs. UNSOELD. Madam Speaker, this veto message is unbelievable and is proof of how out of touch with the American people is the White House. The message says:

H.R. 2507 is not necessary to increase support for research targeted at women's health needs * * * and also contains fiscally irresponsible authorization levels.

This from a President who submitted to the Congress a proposed budget that is \$400 billion out of whack.

The President says, " * * * this legislation would be counterproductive to the attainment of our Nation's health research objectives."

Gobbledygook.

This President who promised to be kinder and gentler would condemn the American people to be prisoners of rightwing religious zealots fixated on women's reproductive organs.

Let this House indeed support saving human life. Let us override this outrageous veto.

Mr. DANNEMEYER. Madam Speaker, I yield 3 minutes to the distinguished minority leader, the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Madam Speaker, I am not a rightwing religious zealot, but I do rise in support of the President's veto of this measure and against the move to override the veto.

On May 28, when the bill was debated, it was clear the President would veto it in its present form, and, if I may borrow the language of medicine, the bill that passed the House was flawed in its diagnosis and its prescription. President Bush has given a second opinion, and I am inclined to abide by his view as the better one.

The various flaws in the bill in its current form are substantive, budgetary, and constitutional, and it left the President no choice but to exercise his constitutional power to veto. Among the flaws is a spending level of an estimated \$3 billion above the President's fiscal 1993 budget request and \$1 billion above the original amount approved by the House. Now this is at a time when a lot of people around here are trying to parade under the guise of, "Let's hold spending down, keep it in check." So much for consistency.

Madam Speaker, also included in the bill is an authorization of \$100 million for what are basically pork-barrel construction projects for various universities. This morning's Washington Post carried a story of a little-known college in the Allegheny foothills which was recently selected for \$41 million in Federal research projects, a windfall almost three times its \$14 million annual budget.

□ 1110

That comes under a different bill, but it is the same kind of thing that is happening also in this particular measure. And I know, because I once served as the ranking member on the Appropriations Subcommittee that funds these activities.

This special interest money will come out of existing research dollars, resulting in the loss of 400 research grants per year.

Another shortcoming of the bill is the requirement for an ethics advisory board that can overrule objections by the Secretary of Health and Human Services and the President. And this is clearly, on its face, constitutionally flawed.

And, of course, there is disagreement about fundamental questions of bioethical concern.

Madam Speaker, we are all supporters of the National Institutes of Health, but support for NIH, in a general sense, is not enough. NIH, as a tax-dollar-supported institution, is not outside and does not transcend the ordinary but often vital policy questions we in government must ask.

I believe that under the current leadership of Dr. Healy, NIH has the potential of entering the 21st century on a basis of sound policy, supported by responsible Government guidelines. But we in the Congress must first be willing to address the questions the President has raised in his veto message, and that is why I would urge my colleagues to support the President's veto and then let us do what is right for NIH.

Mr. WAXMAN. Madam Speaker, I yield 2 minutes and 30 seconds to the distinguished gentleman from Massachusetts [Mr. EARLY], a member of the Committee on Appropriations that deals with the HHS budget.

Mr. EARLY. Madam Speaker, I rise on two specific points about why we should override the President's veto.

First of all, the President says that he is vetoing it on ethical grounds. He suggests that we can use fetal tissue from ectopic pregnancies or miscarriages for this research. The courts decide; the courts decide whether abortion is legal or not.

I stand here as one who is opposed to abortion. If it costs me an election, so be it.

I want to talk to this House about gene therapy. The committee heard testimony that gene therapy has been performed; it is not solely research. Within the last 6 months there has been a successful gene transfer. Also, in cystic fibrosis, again with gene therapy, by the end of this year, I hope that NIH will have a gene therapy treatment for cystic fibrosis. Although it does not involve fetal tissue transplantation, the point is the principle of gene transfer. However, fetal tissue research is necessary for other research and for other potential therapies.

In this particular bill, with regard to juvenile diabetes, with fetal tissue transplantation we may save the eyesight of young people. With regard to Alzheimer's, we may extend compassionately the life of senior citizens. With regard to Parkinson's, with fetal tissue transfer we can save lives.

With regard to the second point of this veto, and why it should be overridden, I hear Republican after Republican saying that it is too much money. The President said \$3.2 billion. Last week this House voted \$38.4 billion for research, development, and testing of new weapons. My gosh, do we know how much we spend at NIH?

Last year we spent \$8.9 billion. The cold war is over. We have to make some adjustments, some changes.

Not one Republican voted to take down the firewalls that would let us

transfer from defense to domestic programs; \$8.9 billion, the Republicans say it is too much for NIH. Yet we spent \$38.4 billion for defense RDT&E. We spend \$36 billion for intelligence gathering by the CIA annually, and we say it is not enough money.

I plead with this House, the American people want us to do some things differently. They want some performance. Too much of what we do is partisan. Democrats versus Republicans. It is wrong.

This particular bill is progressive. It is good. I am opposed to abortion as vehemently as any Member in this House. I think it is the taking of human life. But this bill is imaginative and constructive.

We should override this veto, demonstrating the independence of the Congress and restore the quality and the prestige of the Congress.

Mr. DANNEMEYER. Madam Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. EMERSON].

Mr. EMERSON. Madam Speaker, abortion proponents have been disingenuous from the beginning of this debate, and they are disingenuous now. In an attempt to sway pro-life votes and allow the taxpayers' dollars to support research on fetal tissue from induced abortion, they made several arguments. For example: "There are safeguards in this bill." Well, it is debatable as to whether the so-called safeguards would have served their intended purpose in the first place, but for those among my colleagues who believed this—look again. They are gone. These safeguards, meager as they were in the House-passed bill, were weakened in the conference report. Women will no longer sign a statement that their decision to abort is unrelated to their decision to donate fetal tissue. Another example: "Untold numbers of people with diseases such as Parkinson's will benefit from this research." This statement amounts to a cruel hoax for those who are suffering from this debilitating disease. According to a premier researcher in this subject area, Olle Lindvall, one of the pioneers of fetal tissue transplantation research,

[T]his research is still at the experimental stage, and widespread clinical trials with transplantation in Parkinson's disease are not warranted at this time.

We should not be raising false hope in those who are desperate for a cure in order to promote abortion—particularly when the research already permitted by NIH—that is, tissue from ectopic pregnancies and spontaneous abortions—more than fills the research needs in this country.

What is this hoax about—solidifying abortion on demand in this country, and nothing more. Vote "no" on the veto override.

Mr. WAXMAN. Madam Speaker, I yield 1 minute to the gentlewoman from Tennessee [Mrs. LLOYD].

Mrs. LLOYD. Madam Speaker, I rise today in strong support of the veto override of the NIH reauthorization bill. We need this investment and commitment to prevent death and disability for millions of Americans.

This commitment includes making fetal tissue available to researchers to treat and cure debilitating diseases like diabetes, Parkinson's and Alzheimer's. The bill contains ethical safeguards to prevent any potential abuses of the use of this tissue, requires written informed consent from women donating the tissue, and prohibits its sale or purchase.

H.R. 2507 also contains the seed money to provide hope, improved treatments, and, ultimately, a cure, for those stricken with diseases such as breast and prostate cancer, osteoporosis, and multiple sclerosis. Scientific breakthroughs to these diseases don't occur magically overnight. They begin here at the funding stages, on this floor, today, with this bill.

Before I conclude, I would like to acknowledge the contributions made by Dr. Bernadine Healy to improve the health care of women. Many people have been vocal in their opposition to Dr. Healy. She has been an advocate and a real leader in implementing fundamental changes at the NIH, including those advocated by the congressional caucus for women's issues, such as the establishment of the Office of Research for Women's Health and the women's health initiative to fill in the lacking research gaps for midlife and older women. With Dr. Healy at the helm, women's health research at the NIH has finally been brought out of the Dark Ages. We will all be the beneficiaries.

I urge my colleagues to support these efforts and the override of the administration's veto today.

Mr. WAXMAN. Madam Speaker, I yield 1 minute to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Madam Speaker, this country does not need more money for B-2 bombers, star wars and the military. But it does need significantly more funding for research into long neglected women's health needs into the epidemic of breast cancer, ovarian cancer and research into all kinds of cancer, that killer disease which is afflicting 1 out of 3 Americans. And that is what this legislation is all about.

Madam Speaker, in my State of Vermont the citizens of our State, led mostly by women, are demanding that the Federal Government play a greater role in the prevention and treatment of cancer. In this legislation, vetoed by the President, is the 1992 Cancer Registry's Amendment Act, a nationwide system of uniform statewide registries which will enable each State to collect uniform data on those afflicted with cancer, including age, residence, occupation, stage of disease and treatment.

□ 1120

This bill was hailed by Dr. Healy of Sloan-Kettering Memorial Cancer Center as the major cancer weapon our Nation needs most. Madam Speaker, let us pass this legislation and give hope to Americans in fighting disease.

Mr. WAXMAN. Madam Speaker, I yield 1 minute to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Madam Speaker, once again, my colleagues and I stand here on the floor of the House to debate a bill, the merits of which have already been roundly hailed. I am appalled that the President would condemn such a vital piece of legislation—a bill that funds all of the facilities and research programs of the Institutes of Health—on the basis of one issue alone.

Not only has publicly funded research been placed in jeopardy due to a single concern of the President, but the issue in question—whether research on the transplantation of fetal tissue should be funded by the Government—has been dismissed by the scientific community.

The shred of logic that somehow we will promote abortions by permitting the use of fetal tissue in experimental treatment of life-threatening conditions has been overwhelmingly rejected by both Houses of Congress and researchers alike. The bill contains strong safeguards against abuse—safeguards that do not currently exist in the private sector where research is ongoing. Once and for all: the NIH bill is not about abortion.

Madam Speaker, this is an important day for research, but it is especially important for women's health research. Women have historically been left out of clinical trials, such as the effects of aspirin on heart disease, the leading cause of death in the country. In other instances, women have been treated without any regard for the overall effect on their health—such as estrogen treatment for menopause without study of the effects of estrogen on cardiovascular and cancer risks. There has never been a focused clinical effort at NIH to examine gynecological conditions. This bill addresses these and many other critical women's health needs.

Like many of my colleagues, I was disappointed and angered to read Dr. Bernadine Healy's letter urging a veto because "the section on women's health is unnecessary." It is an affront to see these indispensable provisions used as a scapegoat in the absence of any valid cause for a veto. Apparently, Dr. Healy thinks that, for example, making the Office of Women's Health Research permanent is unnecessary; she must think that requiring the inclusion of women in clinical trials is unnecessary. Her veto recommendation is particularly outrageous, given the recent favorable press she has received for her leadership on women's health.

Madam Speaker, this is yet another sad example of governance by veto. I urge my colleagues to override this veto and support women's health and crucial research programs.

Mr. WAXMAN. Madam Speaker, I yield 2 minutes to the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. Madam Speaker, I rise in support of overriding the President's veto. I want to say first off that it is about time that we have adequate research dollars for female-dominated diseases. Breast cancer is afflicting 1 out of 9 women. It is an epidemic in this country, and we have gotten peanuts for research. As a matter of fact, I want to tell the gentleman from Georgia, who complained that we are mandating that women and minorities be included in clinical trials, that prior to this bill they have only been included in 13 percent of all the clinical trials. Even when they did research on breast cancer, they had a man, men that they were examining for breast cancer, and only less than one-tenth of 1 percent of men get breast cancer. That is how outrageous it is with respect to research.

We want to find a cure for breast cancer that devastates the American family. We want to find early detection for ovarian cancer.

I want the Members to ask their daughters, and how would the Members like it if their daughters find out they have the symptoms for ovarian cancer, and frankly, when a person finds those symptoms, they have a very high risk of death because there is no early screening for ovarian cancer. Why? Because there has been very little research done in that area. If we give our wonderful scientists the \$75 million to find that early detection, then I think we will find a chance to save the life, yes, the life of that individual.

What about osteoporosis, which afflicts older women especially? It has devastated, and we have not found a cure for that at all. The list goes on to prostate cancer, which is an epidemic for men.

I want to say something about the fetal tissue issue. I am convinced, and I happen to stand here thinking and believing that 1.7 million abortions are far too many in this country, and we ought to start with education and to deal with that issue, but this is not the bill that deals with that issue, and we know that. I think there are ethical standards that have been screened out with the committee, and I urge them to work with the administration on this issue.

Let us support the overriding of the President's veto. It is the pro-life thing to do.

Mr. DANNEMEYER. Madam Speaker, I yield 2 minutes to my colleague, the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Madam Speaker, I rise in strong support of the President's

veto of the conference report to H.R. 2507—the National Institutes of Health revitalization amendments.

This Nation is facing a budget deficit of approximately \$360 billion this year. And here we are being asked to pass a massive bill that will add substantially to this country's debt.

Madam Speaker, when this bill originally passed the House, the total authorization was \$238 million above the President's budget. It now is a staggering \$3.1 billion above the President's budget. Let me repeat that—a whopping \$3.1 billion over the President's budget. We simply cannot allow this to continue.

The bill specifically authorizes appropriations that are \$1.2 billion above the President's fiscal year 1993 budget. The total reaches \$3.1 billion when the HHS estimate of \$1.9 billion to purchase 300 acres of land for an NIH satellite campus and to renovate facilities is included.

Madam Speaker, passing this bill would add \$3 billion to the budget deficit and says to the American people that Congress is not at all serious about balancing the budget. I challenge my colleagues to show the American people that we can be responsible and do our jobs without a constitutional amendment.

When we were debating the passage of this conference report, arguments were made that the authorization levels in this bill are irrelevant, because the Appropriations Committee sets the ultimate funding levels for all programs. Although it is a truism, that under our system, the appropriators have the final word on expenditures, it is the authorizing committees that draw the map which guides the Appropriations Committee on how moneys should be spent. Therefore, this conference report provides the guidance on the limits and direction of future funding at NIH. To say that this legislation is irrelevant because the appropriators have the final word, would, if taken literally, mean that all authorizing legislation is irrelevant. Madam Speaker, that is the type of thinking that has contributed to the budget mess that we are currently in.

I urge my colleagues to support the President's veto.

Mr. WAXMAN. Madam Speaker, I yield 3½ minutes to the gentleman from Michigan [Mr. UPTON].

Mr. UPTON. Madam Speaker, a few weeks ago after we approved the NIH bill we were a few votes shy of override strength. As I was walking back to my office, I was pretty discouraged and disappointed. Then, I ran into Rev. Guy Walden.

As many of you know, Guy is a pro-life Baptist minister, and though he vehemently opposes abortion, personal experience led him to be a strong supporter of fetal tissue research. After losing two children to a rare genetic

defect known as Hurler's syndrome, testing revealed that this same birth defect threatened to rob him and his pregnant wife of yet another child.

The Waldens knew it would take a miracle to save their child from deformity and an early, certain death—and with a fetal tissue transplant they found that miracle.

When I spoke to Reverend Walden after that vote, he urged me to look—not at how many votes we were short—but rather at how far we have come. We were able to get many Members to move beyond the rhetoric, and study the facts and substance and hope of this research. Based on the facts, we were able to convince many Members that it is critical to lift the ban.

We have come a long way.

The former Secretary of HHS under President Ronald Reagan, Dr. Otis Bowen, joined our efforts in actively urging the administration to overturn the ban. Recently, a bipartisan group consisting of three former heads of NIH issued a plea to the President to heed the recommendations of the 1988 Reagan pro-life panel that said that this research should go forward.

In fact, we have made progress with the administration. In agreeing to establish a fetal tissue bank, they have at least recognized the value of this research.

But, as the former heads of the NIH said in their letter to the President, that is not enough.

Madam Speaker, a few years ago, a number of people and organizations were alarmed and opposed the prospect of using in vitro fertilization to create a new life. But, for many Americans—like my own brother and sister-in-law—this research did not result in some scary, shady scene out of a grade B movie. Instead, it resulted in a loving, healthy baby girl. New hope, new life.

All of us have known someone who has been impacted by cancer, a paralyzing spinal cord injury, diabetes, Alzheimer's, Parkinson's, or Lou Gehrig's disease. Let's not wait another year for the cure. Let's, instead, truly race for the cure.

Has it already been too long for us to have forgotten the ravages of polio that used this same research for a cure?

By establishing a fetal-tissue bank using tissue only from spontaneous abortions and miscarriages, the administration chose to take a course contrary to the wishes of nearly every major disease and public health group in America. They chose to take a course contrary to many of our Nation's leading researchers in this area. If we fail in our override attempt, the burden of proof will be on this administration.

I disagree with the administration on this issue. But, I hope for the sake of millions of Americans struck by the

devastating diseases for which this research holds hope, that the administration is not just paying lip-service to our Nation's researchers. I hope that our researchers will truly be provided with the means to achieve a goal that I know every Member of this institution supports: an end to so many people's suffering and early deaths—a chance for hope, a chance for life.

At some point elected officials and political people must admit that though we are political animals, politics should not dictate or deter the progress of important scientific research. Of course it's necessary to carefully weigh this progress with legitimate, ethical concerns. But, what is not necessary—and is in fact dangerous—is to hamstring our Nation's researchers because of unfounded fears and political games.

I urge my colleagues to vote to override the President's veto on the NIH bill.

□ 1130

Mr. DANNEMEYER. Madam Speaker, I yield 2 minutes to my colleague, the gentleman from Louisiana [Mr. HOLLOWAY].

Mr. HOLLOWAY. Madam Speaker, I rise today to stand with the President and say we must stand against things that are wrong and evil in this country. And I stand as strongly as anyone could ever stand in support of the unborn of this country.

I want to say a word or two about what I have heard, that we are missing the money for experimentation on cancer and the other items. Let us take the \$300 million that we are going to buy 300 acres of land with, and let us instead put that in experimentation. It is ridiculous to stand up here and try to argue to the American people that we are going to lift our standards in Congress, but yet we are willing to compromise and take \$300 million of money that could be spent for research and use it to buy 300 acres of land in Maryland.

Let us get ahold of things. Let us get ahold of the budget of this country. Let us put it in perspective. Let us spend our dollars where they count the most, and buying 300 acres of land at \$1 million an acre is not spending money wisely.

But I also stand strongly in support of the unborn. To tell me that we have a living being in a mother's womb and we are going to go in with needles and take tissue from that unborn child to use for research, or to try to find a fountain of youth, is wrong. We have the tissue, and I have a letter from C. Everett Koop that says that he stands with the President. I think he is a very respected former Surgeon General.

I just have to say that it is time in this country that we realize the morals of our Nation are at stake and where we go as a country is at stake. And I

think it is very important that we realize that the unborn are living beings, and somewhere we declare them to be living beings to where we can protect them as much as we would to give consent to give one of our own organs for research.

It makes me sick just to hear the arguments over and over to where we try to put the blame here and put the blame there. It is time we realize the importance of the dollars we spend and where these dollars go, and let us put them where they will count the most.

Mr. WAXMAN. Madam Speaker, I yield 1 minute to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY of New York. Madam Speaker, I have heard my colleagues refer to the fact that our budget is out of control, and I agree, let us put the dollars where they can really work.

I urge my colleagues to override this veto. Do we realize that if we do not override this veto we are jeopardizing \$325 million for breast cancer research, \$72 million for prostate cancer research, \$15 million for a new childhood vaccine initiative, \$500 million for the National Institute on Aging.

I urge my colleagues, those who care about families, think about your wives, think about your daughters, think about those families that are being destroyed because they cannot find a solution to these health problems.

I got a letter, Madam Speaker, from one of my dear friends who said to me with regard to fetal tissue research:

Please, please support this bill. My daughter can control the disease with insulin. However, as diabetes progresses, without fetal tissue research she would face heart disease and amputation.

Think of all of this when we think of the value, my colleagues, and vote for this override.

Mr. DANNEMEYER. Madam Speaker, I yield myself 1 minute.

Madam Speaker, the claim has been made here today in this debate that somehow the sustaining of this veto will interfere with research on woman in America. Nothing could be further from the truth.

Dr. Bernadine Healy, in a letter dated May 28, 1992, addressed to Dr. Sullivan, head of HHS, made very clear that the dietary intervention trial of the women's health initiative already requires the inclusion of 48,000 women at a cost of \$26 million a year for 14 years. If as a result of this legislation that investigation has to be expanded to include five ethnic groups, that would result in a 5 by 48,000 multiplication, or 240,000, and the cost would be approximately \$130 million per year for 14 years.

Dr. Healy goes on to point out that in expanding to include the five ethnic groups it would threaten the very fiscal ability of this investigation to take place, and for this reason I think this veto should be sustained.

Mr. WAXMAN. Madam Speaker, I yield 1 minute to the gentlewoman from Connecticut, [Ms. DELAURO].

Ms. DELAURO. Madam Speaker, the administration's veto of the NIH authorization is a blow to the thousands of men, women, and children who would benefit from this vital legislation. Once again, the administration has demonstrated its narrow-minded approach and its lack of concern for women's health, for those suffering from Alzheimer's disease, diabetes, Parkinson's syndrome, childhood diseases, and AIDS. Once again the American people have been forced to watch progress halted by an administration more concerned about politics than with public health.

This bill is not politics. This bill is a commitment to life.

I am a survivor of ovarian cancer. Thirty-nine percent of the women in this Nation who contact ovarian cancer survive. I was diagnosed accidentally. This is wrong. Men, women, and children in this Nation should not survive by accident. We need this research.

So I urge my colleagues not to be sidetracked by politics and to please vote for this override and vote for life today.

Mr. DANNEMEYER. Madam Speaker, I yield the balance of our time to my colleague, the gentleman from Illinois [Mr. HYDE].

The SPEAKER pro tempore (Mrs. MINK). The gentleman from Illinois [Mr. HYDE] is recognized for 6 minutes.

Mr. HYDE. Madam Speaker, I have the highest respect for everybody on that side of the aisle who has spoken so passionately and so sincerely for this research. And indeed, I share with them the commitment that this research go on. I would be the last person in the world to not want research to proceed.

But what we have heard today is what is called by logicians the fallacy of the false alternative. We have heard that if this fetal research with induced abortions is not permitted to go on, Alzheimer's Hurler's syndrome, diabetes, Parkinson's disease, and even breast cancer research will be harmed. That is nonsense. That is just not true.

Now I listened to my colleagues and I ask them to listen to me. It is not an either/or situation. All of this research which is necessary, and essential, and humane, and compassionate will go forward, but we do not need the perverseness of having induced abortions provide involuntarily for organ donations.

□ 1140

We do not need to reduce unborn children to commodities, or to things, or to chattels.

Now, the calculated effort—and it is a calculated effort—to distort the President's veto into an antiwoman position is utterly contemptible. Parkinson's disease, Alzheimer's, diabetes are

not women's diseases. They are people diseases, and we all get them. We all can get cancer, and the statement that the President is somehow antiwoman in vetoing in defense of unborn children—over half of whom are female—is perverse. It is just perverse. It is the use of politics in a situation which ought to transcend politics.

Now, the learned Governor from Arkansas last night issued a statement and referred to the President's veto of this bill as an "ugly bow to the far right." Well, let me suggest to the learned Governor of Arkansas that the Southern Baptist Conference supports the President's veto, and if they are the far right, I would like to know; the U.S. Catholic Conference, I wish they were more conservative, and they are not on the right side of the political spectrum yet, they support the President's veto.

But what is important to know is many, many distinguished researchers support the President's veto and tell us there is enough fetal material from ectopic pregnancies and from spontaneous abortions to provide the material to go forward with this research, and setting up the fetal-tissue bank is worth a try. So let us go with it, and let us see if it can work. I am not talking about people who depend on the Government for their paycheck. Dr. C. Everett Koop, the former Surgeon General, supports the President and by agreement of the gentleman from California, he was one of the best Surgeons General we have ever had, I dare say. Does the gentleman from California [Mr. WAXMAN] agree with me?

Mr. WAXMAN. Madam Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from California.

Mr. WAXMAN. Madam Speaker, he is certainly a fine, distinguished man.

But let me ask the gentleman this: If the fetal tissue that is in this tissue bank, because it is diseased—

Mr. HYDE. No. It is not diseased.

Mr. WAXMAN. Wait a second. Listen to me. If because it is diseased, if it turns out it is not sufficient, would the gentleman support allowing fetal tissue from elected abortions to be used for this research to save lives of people with these diseases?

Mr. HYDE. Reclaiming my time, I will tell the gentleman that under no circumstances may you exterminate an innocent human life for any cause whatsoever except to save another life.

Mr. WAXMAN. We are talking about a life that is gone, the same as a human being whose life is gone whose organs can be transplanted.

Mr. HYDE. I am telling you that Dr. C. Everett Koop supports the President's veto. He supports the tissue bank which will permit the research to go forward which we have heard is so essential but not just people working for the Government; Georgetown Uni-

versity researchers, University of California at Los Angeles researchers, Case Western, University of Southern California, University of Tennessee, University of Cincinnati, North Carolina, there are plenty of distinguished researchers who say we do not need induced abortions to do this research.

I suggest to my friend from California that the tissue in the fetal bank will not be diseased. Not every spontaneous abortion because of disease, and most ectopic pregnancies are not diseased.

There have been only 60 transplants in 5 years, 60. We are going to get, we are told by the scientists, enough for 2,000 fetal transplants in this bank in a central registry.

We can have our research. We can have this research without having to harvest the bodies of unborn babies whose abortions were deliberately performed.

The most serious consequence of using induced abortion to provide fetal material is the degrading of people to chattels, making them things. Our cultural insensitivity, that was taken care of, I thought, in 1861 when slaves were emancipated as full human beings of considerable worth but not commodities.

So I am suggesting to you the problem of research can be solved. We can have our cake and eat it, too. This is not my opinion nor the opinion of some rightwing groups. This is the opinion of many distinguished surgeons, and doctors, and researchers, and I think we ought to listen to them.

Mrs. SCHROEDER. Madam Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Colorado.

Mrs. SCHROEDER. I wanted to say that Secretary Bowen under Ronald Reagan who put the ban into effect now says it should be lifted. I think that is very important.

Mr. HYDE. Secretary Bowen was never much of a pro-lifer. He was never much of a pro-lifer.

Mr. WAXMAN. Madam Speaker, it is frustrating for us who want to speak on this issue when, on the Republican side, they would not yield to a single Republican who supported our position. The gentleman from Illinois [Mr. HYDE] himself personally took 6 minutes. We only had to slice the time up, because we had 20 speakers on our side, into 30 seconds, with 1-minute intervals.

Madam Speaker, I yield 1 minute to the gentlewoman from Maine [Ms. SNOWE] to have an opportunity to speak on this issue that otherwise might not be accorded to her.

Ms. SNOWE. Madam Speaker, I thank the gentleman for yielding me this time.

Madam Speaker, Members of the House, I rise in support of the motion to override the President's veto on the

National Institutes of Health conference report.

I sincerely regret the fact that the President has decided to veto this very important legislation, but I hope that that will not stand in the way of Congress' commitment and the demonstration of that commitment to women in this country.

Today is our last opportunity to demonstrate our commitment to women. This legislation, contrary to what has been said here today, is laden with significant provisions that are designed to help women in this country, giving hope to thousands of women who suffer from breast, ovarian, and cervical cancer, osteoporosis.

It is no exaggeration to tell you your vote today may determine their fate.

Madam Speaker, the women's health provisions contained in this bill are long overdue. We should have rectified these grave injustices over many decades.

The fact is many women's lives would have been saved had we brought gender equity to women's health research in this country. The time for excuses is over. Before you today is the most significant bill regarding women's health in the history of this country.

Mr. WAXMAN. Madam Speaker, I yield 30 seconds to the gentleman from New York [Mr. WEISS].

Mr. WEISS. Madam Speaker, I strongly support the override of the President's veto of H.R. 2507, the NIH Revitalization Amendments of 1992.

There are many important provisions of this bill, but today I want to address the issue of fetal tissue transplant research, speaking from my perspective as chairman of the Human Resources and Intergovernmental Relations Subcommittee, which has oversight jurisdiction of HHS.

More than 1 month ago, I wrote to Secretary Sullivan asking for all documents that support the administration's plan for a fetal tissue bank. We all know that this plan was proposed by the President in order to justify his veto of this bill.

Day after day, week after week, Secretary Sullivan's staff promised to send us these documents, which were to provide evidence as to why the administration believes the fetal tissue bank can work. As of this moment, we still have not received a single page of any kind of evidence that this tissue bank will work. Where's the beef, Mr. President? I must reluctantly conclude that there is no evidence this tissue bank plan can work.

It is up to us to say to the victims of Alzheimer's, Parkinson's, juvenile diabetes, AIDS, and other diseases that we, the Congress, will not allow politics to interfere with this crucially needed research. We must regain the trust of the American people by showing that we care what happens to them. We must override this veto.

Mr. WAXMAN. Madam Speaker, I yield 30 seconds to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Madam Speaker, I urge my colleagues to vote to override the President's veto of the NIH reauthorization bill. This bill has been vetoed primarily because it lifts the ban on fetal tissue research.

Fetal tissue research has already led to a number of medical advances and is very promising in fighting diseases ranging from Alzheimer's and Parkinson's disease to juvenile diabetes and leukemia. The legislation includes important safeguards to ensure that any future research is conducted in an ethical manner. For example, fetal tissue could not be sold nor could donations be targeted to any particular individual. As a result of these protections, ethical concerns have been addressed. A fetal tissue bank, as proposed by the administration, is simply not adequate. Countless researchers and other experts have expressed their view that ectopic pregnancies and spontaneous abortions will not produce enough transplantable tissue to meet the needs of researchers. Indeed, in 1988, a panel established by President Reagan recommended that the research be allowed by an overwhelming vote of 18 to 3. The recommendations of the panel were then endorsed unanimously by the advisory panel to the NIH Director. Former Reagan Secretary of Health and Human Services Otis Bowen also supported lifting the ban on fetal tissue research. In regard to the establishment of a fetal tissue bank, he stated:

A bank of tissue from miscarriages and ectopic pregnancies is medically unworkable and will be unable to provide tissue free from infections and genetic defects. Such tissue has always been unaffected by the ban, but the problems of quality and availability are so insurmountable that research has come to a halt. This political compromise will produce no scientific results.

The women's health provisions in this bill have also been labeled as highly intrusive and unnecessary. This is a shocking assertion in view of the enormous gaps in women's health research and the long history of neglect of women's health concerns in the research establishment.

Madam Speaker, the women's health provisions are critical. We have seen progress made at NIH; however, we have no guarantees that this progress will continue under future NIH Directors. Many provisions of the Women's Health Equity Act are part of the bill, such as the requirement that women and minorities are represented in clinical trials. Funding for breast and ovarian cancer, osteoporosis, and other women's diseases is increased, and the Office of Research on Women's Health is permanently authorized. These provisions and others in the bill will help to assure that this history of neglect of women's health will not be allowed to

continue in the future. We have a long way to go to fill the many remaining gaps, but this bill is a very important beginning.

Madam Speaker, this bill is critical to the health of millions of Americans. I urge my colleagues to join me in voting to override the veto.

Mr. WAXMAN. Madam Speaker, I yield such time as he may consume to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Madam Speaker, I rise in opposition to the President's veto.

Mr. WAXMAN. Madam Speaker, I yield such time as she may consume to the gentlewoman from Illinois [Mrs. COLLINS].

Mrs. COLLINS of Illinois. Madam Speaker, I rise in full support of the amendment to override the President's veto.

Madam Speaker, we should have known that the education/environment President could not care less about being the research President. Just as his performance in Rio showed us that he has no interest in the environment, his veto of the H.R. 2507 has shown us that President Bush is not serious about the environment, education or research. The National Institutes of Health legislation that Mr. Bush vetoed yesterday might have helped researchers find treatments for many diseases including diabetes, Parkinson's and Alzheimer's disease.

Instead Mr. Bush decided to play election year politics playing to the far right by claiming that fetal tissue research was morally repugnant. Well, Madam Speaker, I find it morally repugnant to not have any concern for people suffering from diseases for which there is today no cure but that could possibly be found in the future through fetal research. I find it morally repugnant for the Government not to be responding to ways to cure diseases facing its populace. I and millions of other Americans are outraged by our President's lack of understanding of the gravity of this issue and of his veto of the NIH legislation.

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Mr. WAXMAN. Madam Speaker, I yield myself the balance of our time.

The decision by the President to veto this bill was a decision based on pure politics. But it is not cheap politics, because it is going to cost lives. It is going to eliminate hope. It is going to cause millions of American families grief and suffering. It will affect the elderly people in the prime of their lives, and children who are yet unborn who will not have a chance to have genetic defects corrected.

The decision to ignore these people, I think, is one that can only occur in an election year and should never occur in a country that cares about its own people.

I say to my Republican friends: do not vote with the President simply because you are Republicans. This is a bipartisan matter. Vote for this bill because it is the right thing to pass. It is right to put into law programs for research, for hope, and for saving lives.

Madam Speaker, I ask for an "aye" vote for the legislation.

Mr. SANDERS. Madam Speaker, I rise in strong support of the National Institutes of Health reauthorization bill and urge my colleagues to vote to override yet another veto of President Bush.

This country, Madam Speaker, does not need more B-2 bombers, more funding for star wars, or for research into nuclear weapons development. But it does need significantly more funding for research into long-neglected women's health needs—into the epidemic of breast cancer, ovarian cancer, and research into all other kinds of cancer—that killer disease which will afflict one out of three Americans.

Madam Speaker, in my State of Vermont the citizens of our State, led mostly by women, are demanding that the Federal Government play an increased role in the prevention and treatment of cancer. In our State, for example, as in much of New England, breast cancer is at epidemic proportion, with a mortality rate far higher than in other areas of the country.

In this legislation, vetoed by the President, is the 1992 Cancer Registries Amendment Act—a bill which I introduced in the House and Senator PATRICK LEAHY of Vermont introduced in the Senate. This bill would create a nationwide system of uniform statewide cancer registries which will enable each State to collect uniform data on those afflicted with cancer, including age, residence, occupation, stage of disease and treatment. This legislation was hailed by Dr. John Healey of Sloan-Kettering Memorial Cancer Center, in a major article in this month's Reader's Digest, as "the cancer weapon America needs most." This legislation, strongly endorsed by the American Cancer Society, the congressional women's caucus, and many other cancer organizations, also contains funds to study why New England and the Mid-Atlantic States have higher breast cancer mortality rates than elsewhere in the country.

Madam Speaker, let us get our national priorities right. Let us override this Presidential veto and give hope to millions of American families who are struggling with terrible diseases that modern research has the capability of curing.

Ms. WATERS. Madam Speaker, at a time when this Nation is recognizing that the women of this country have been excluded, denied, and dismissed in all of our institutions, and when many well-meaning citizens are attempting to correct this at every level, public policy polls reflect the desire for this change, it is amazing that the President does not get it, does not understand, is not tuned in. He simply has little or no idea, no vision for leading us in a real manner on this issue.

It is amazing that in 1992 the President would veto a bill that would encourage the kind of research that would save women's lives. It has been well documented that women have been left out of every major clinical trial and missing from every important cohort study.

The Office for Research on Women's Health needs to be made permanent to help save women's lives. Not my life, or the lives of the other women in Congress, but the lives of your mothers, sisters, wives, daughters, and granddaughters. And to save the lives of the women close to the President, too.

I am amazed that the President does not have this understanding. Given that he is simply out of the loop when it comes to being in touch with what is important to the American people, let us not be forced to send women to an earlier death, simply because they are women.

I urge my colleagues to support the veto override of H.R. 2507.

Mr. ABERCROMBIE. Madam Speaker, I rise today to express my opposition to yesterday's veto by President Bush of H.R. 2507, the National Institutes of Health [NIH] Reauthorization Act. This single action by the President is an abomination to the people of the United States, and I strongly urge my colleagues to vote with me in overriding this veto.

As we all know, President Bush constantly criticizes Congress for being influenced by special interest groups but this veto demonstrates that he is the one held hostage by a special interest group. I do not understand why President Bush does not have the courage to do what is best for our country. The President may be able to use this veto to appease some members of the anti-choice movement but this is not nor has it ever been an abortion bill. Rather this important piece of legislation is a life-enhancement bill.

In 1988, the Reagan administration placed a moratorium on Federal funding for transplant research involving fetal tissue obtained from induced abortions pending a study by an NIH advisory committee. Later in that same year, two separate NIH advisory committees recommended that the research be allowed as long as the Federal Government included specific provisions to ensure that women do not have abortions in order to supply fetal tissue. However, the Bush administration has continued to impose the ban indefinitely. I am amazed that President Bush has decided that it is more important to put the politics over people's lives.

I know I am not the first Member of Congress to inform the President that the authors of H.R. 2507, including my distinguished colleague from California, Mr. WAXMAN, in response to these specific concerns raised by the NIH advisory committees, made sure that the bill contains the necessary ethical safeguards. Also, various health organizations have contacted me and stated that fetal tissue research is vital and may lead to a cure for Parkinson's disease, diabetes, and Alzheimer's disease. I cannot turn my back to these people.

As important as the issue of fetal tissue research may be, this is only a portion of a bill that authorizes Federal funds for the National Cancer Institute—with specific language included for breast, gynecological, and prostate cancer research—the National Heart, Lung, and Blood Institute, and the National Institute of Aging to name just a few. Also, this bill includes language that mandates the inclusion of women and minorities as subjects in clinical research.

This is truly a life-saving bill, and I urge my colleagues to vote with me to overturn the President's veto.

Mr. HOAGLAND. Madam Speaker, I want to express my support for H.R. 2507, a bill to extend several of the National Institutes of Health [NIH] as we consider today President

Bush's veto of this important bill. A major reason I support H.R. 2507 is that it elevates attention to women's health.

Women's health care has been given the back seat for far too long. Men have dominated the health research agenda and most physicians have been men. Many women have to make important decisions about their health and well-being with inadequate information.

Women have some unique needs particularly those related to reproductive health. Most women spend 90 percent of their lives trying either to postpone or avoid giving birth. And as women age, their reproductive health care needs evolve.

One in nine women will develop breast cancer in her lifetime, up from only 1 in 20 in 1961. Seventy percent of these women have no known risk factors for the disease.

Heart disease is the leading killer of American women. American women have a one in two chance of developing a heart ailment.

And contrary to the assumption that AIDS is a gay men's illness, women are the fastest growing group infected with the virus.

This is unacceptable.

H.R. 2507 addresses women's health needs in several ways. The bill expands research on breast cancer and other reproductive cancers. These are diseases that are killing hundreds of thousands of women each year, and we need much more basic information if we are ever to prevent or successfully treat these cancers.

The bill permanently establishes the Office for Research on Women's Health at NIH and requires inclusion of women in clinical research trials. No longer will women be excluded from studies unless there is a good scientific reason to exclude them.

H.R. 2507 expands research on osteoporosis, a disease that disproportionately affects women and is a major cause of chronic disability in the elderly. Osteoporosis affects 24 million Americans and results in \$10 billion in associated health care costs.

H.R. 2507 would begin to correct many years of neglect. I urge my colleagues to support the bill in the interest of bringing hope and good health to millions of American women.

Mr. KOSTMAYER. Madam Speaker, yesterday, the President vetoed legislation which held the hope of life for millions of Americans. This legislation overturned the administration's ill-conceived ban on the use of fetal tissue in scientific research. The scientific community is united in its belief that the use of fetal tissue for scientific research may hold a cure for Alzheimer's disease, leukemia, Parkinson's disease, and diabetes. Even the administration's scientific advisory panel has recommended the Government's sponsorship of fetal research. Yet the President has decided to continue to enforce this ban which will slow or even halt the discovery of treatments and cures for life threatening diseases.

Madam Speaker, this is pro-life legislation. It will allow the continuation and expansion of lifesaving research. This legislation will not encourage abortions because the ethical requirements in this legislation would prevent such action. Instead, lifting the moratorium will save lives for those suffering from devastating dis-

eases. Politics must not stand in the way of potentially lifesaving research.

Today, I will be voting to restore hope for millions of Americans. I encourage all of my colleagues to join me in overriding the President's veto.

Mrs. MINK. Madam Speaker, I come to this well today with great dismay that we must once again ask this body to override President Bush's veto of a bill that is vital to the future of American women.

The NIH reauthorization bill includes the most comprehensive women's health initiative ever to pass this Congress. But once again, the President has chosen to play politics with the lives of millions of women across this Nation. Women who are suffering from breast cancer or crippled by osteoporosis. Those who are diagnosed with heart disease but have no proper treatment because research and clinical trials have primarily included men. Women who suffer from ovarian cancer, two-thirds of whom will die because there is no early detection test for this disease. These are the women who will suffer if the NIH reauthorization bill is not enacted into law.

Madam Speaker, for over a century, the women of this Nation have suffered from neglect by the medical establishment and the lack of Federal funds for research on women's health needs. For the last decade many women and men in this body have put tremendous effort into correcting these inequities. But now as we are right on the very brink of approving the largest increase for women's health research it is being snatched away before our very eyes.

The women of this country deserve better. We deserve the chance to be part of the health research that is conducted with Federal funds, we deserve a chance to participate in clinical trials, we deserve a chance to lead healthy and fulfilling lives.

By voting to sustain the President's veto you will be denying women of these rights. I urge my colleagues, do not get caught in this political web, in issues that are being used to detract from the central purpose in this bill which is the future health of the citizens of this country, both men and women.

Vote "aye" to override the veto of the NIH reauthorization bill.

Mr. FAZIO. Madam Speaker, I rise in support of overriding the President's veto of H.R. 2507, the bill that will reauthorize funding for the National Institutes of Health [NIH].

The President says that he vetoed H.R. 2507 because he does not support the provisions that overturn the ban on fetal tissue research. This ban went into effect in 1988, when the Reagan administration barred funding of research performed on transplanted fetal tissue obtained through induced abortions. The research was prohibited—supposedly temporarily—pending recommendations of an NIH advisory committee.

Needless to say, 4 years later, we find ourselves still stifled by the Reagan ban, in spite of the fact that this very same Reagan-appointed advisory committee determined that this research is acceptable, so long as ethical guidelines are developed. We find ourselves still stifled by the Reagan ban even though Dr. Otis Bowen, who was Reagan's Secretary of Health and Human Services and who origi-

nally ordered the ban back in 1988, has now come out of retirement to say that the ban should have been lifted years ago.

The President is ignoring the fact that fetal tissue research holds tremendous promise for a number of incurable diseases and conditions, including Parkinson's disease, diabetes, Alzheimer's disease, and epilepsy, as well as for the prevention of birth defects. Doctors have found that, if fetal tissue is transplanted into a diseased or disabled part of a patient's body—such as the brain of a Parkinson's disease victim—the fetal tissue cells may begin to function as units of the patient's disabled organ, causing the patient's health to improve. Unlike adult cells, transplanted fetal cells are not rejected by the patient's body. There are people whose lives are unalterably changed by the impact of fetal tissue research—adults and children—both born and unborn—whose lives are extended due to fetal tissue transplants.

H.R. 2507 now lifts the ban on fetal tissue research, and the President is using his opposition to this research to attempt to justify his rejection of the overall bill. By doing this, however, the President is completely disregarding the far-reaching importance and impact of H.R. 2507. He has chosen to ignore the fact that—if H.R. 2507 is enacted—it will enable America's top scientists and researchers to continue the crucial research that will lead to the new knowledge necessary for preventing, detecting, diagnosing, and treating disease and disability.

H.R. 2507 includes a provision enabling all States to set up cancer registries—for all cancers—operating under uniform standards. It establishes the first congressional program targeted specifically at breast cancer prevention and cure and increases research on the causes and prevention of breast cancer, ovarian cancer and other cancers of the female reproductive system. H.R. 2507 contains an amendment that increases research and prevention programs in prostate cancer, a disease that is diagnosed in 132,000 American men every year.

We have to support NIH research. We cannot afford not to invest in the kind of critical research that H.R. 2507 authorizes, because it is such an important part of the foundation of our health care system. The life-saving research at the NIH has already resulted in decreases in both heart disease and stroke mortality in Americans of all ages. It has already produced immunizations against the infectious diseases that threaten our children.

American families are being overwhelmed by the financial and emotional strain that results when a child, parent, or spouse—any loved one—is stricken with diabetes or heart disease or Alzheimer's or a stroke. I have received numerous letters and phone calls from such families in my district—the families who have a stake in the work of the NIH. If we do not override this veto, we will be turning our backs on these families—on Americans whose hopes hinge on the discovery of a cure for juvenile diabetes, for cancer, for kidney disease, for arthritis.

If we do not override this veto, we will be walking away from the opportunity to make an up-front investment in the health of our people. With health care costs escalating, this in-

vestment is one of the best ways we have of preventing the costly treatment that too often follows when serious illness strikes. If an ounce of prevention is really worth a pound of cure, it makes good common sense to pass this bill now so that we can get on with the business of tackling the major health care reform challenges that are before us.

Madam Speaker, I once more acknowledge the efforts of Chairman WAXMAN and the members and staff of his subcommittee in bringing this bill to the floor. I do not see how we have any choice other than to support these efforts by overriding this veto. This is not a partisan issue. It is a health care issue that revolves around a better understanding of both the aging process and the lifestyle practices that affect our health. A vote for H.R. 2507 is an investment in the quality of life for all Americans.

Mr. LIGHTFOOT. Madam Speaker, I rise in support of the President's veto of the National Institutes of Health Amendments of 1992. There are many concepts embodied in this bill which I support. For example, I strongly support the notion that our Nation's health care efforts must focus more on research and care for health problems and their effects on women. For too long, the unique health care needs of women have not gotten the proper attention they deserve. In a society in which slightly over half the population are women, this is not an acceptable situation. Look at the price we have paid for this oversight.

Almost as many women have died from breast cancer as the total number of combat deaths in Vietnam. Women account for half of all heart disease-related deaths. Yet, for example, a major clinical trial examining the effect of aspirin on heart disease did not include women. Also, women make up about half of all alcohol-dependent Americans. However, less than 10 percent of the money spent on research at the National Institute of Alcohol and Alcohol Abuse is spent on problems unique to female alcoholics.

In my State of Iowa, more women than men die of heart disease, Alzheimer's disease, circulatory diseases, and certain forms of diabetes. To exclude women from research or delay research on women's health problems for no substantive scientific reason beyond inconvenience is highly objectionable. We must do more to encourage and push NIH to implement the policy of research inclusion for which it first voiced support in 1986. I look forward to working with the administration and other Members of the Congress to include more women in medical research.

However, I cannot support overriding the President's veto of this conference report. As you know, Madam Speaker, the total cost of the provisions of this conference report exceed the President's request by \$3 billion. The administration has consistently supported increased funding for NIH. Certainly, we cannot afford to regress in our efforts to combat the spectrum of health problems confronting our Nation. However, we all remember clearly the tremendous struggle the House went through just a couple of weeks ago over the balanced budget amendment. While there was significant disagreement about amending the Constitution, there was universal agreement on one thing: We must take drastic steps if we

are ever going to get the deficit under control. Now is simply not the time to increase spending by such a huge amount even though the programs involved are worthy.

Also, the conference report contains almost \$2 billion in spending for construction. This is not money for critical health care research—it is pure pork barrel spending. This \$2 billion accounts for much of the increase over the President's request. Finally, I oppose language in the report which would permit the use of fetal tissue from induced abortions for transplantation and research. While I believe we most certainly need to do more to make scientific research more open to women and other minorities, I still have serious reservations about this measure. I regret worthy intentions have been linked to unacceptable measures. For these reasons, I must support the President on this matter.

Mrs. COLLINS of Michigan. Madam Speaker, I rise to support the vote on overriding the President's veto of H.R. 2507, the reauthorization of the National Institutes of Health. This is a strong bill and it deserves enactment.

Among the strengths of this legislation are provisions establishing the Office of Women's Health Research and in other ways including women in clinical trials. After the introduction of this measure, the NIH copied it by setting up just such an office and is now claiming this legislation is no longer necessary. I say this legislation is even more necessary than it was before. Without it, the work of the Office of Women's Health Research will be without the support of a congressional mandate and, hence, be subject to the whims of the President, of Dr. Barbara Healy, the present Director of NIH, and of others in the administration.

This vetoed legislation also requires the inclusion of women and peoples of color, when appropriate, in the samples gathered and tested by the researchers funded by the Institutes. This will address the terrible and even life-threatening imbalance suffered when the only subjects for whom information is available are all from a single ethnic and gender group—white males.

There are those who, for their own political gain, choose to confuse supporting fetal tissue research with supporting abortion. There are suitable provisions contained in this bill to prevent any encouragement of those seeking or performing abortions to increase their activities in that area. With those provisos in place, there will be no moral difference between donating tissue from an already aborted fetus and donating organs. Neither would be done for financial gain, neither would encourage death or killing, both would save lives. This emotional hyperbole is a waste of time and resources.

I urge my colleagues to join with me in overturning this veto.

Mr. JOHNSON of Texas. Madam Speaker, it's not just a fetal tissue problem.

You know—this is just another example of Congress' inability to come to terms with its runaway spending.

There is no way we will ever balance the budget if Congress keeps spending money like there's no tomorrow. Tomorrow is now.

Somewhere, somehow it must stop.

With a \$4 trillion debt, now is not the time to authorize \$550 million to renovate buildings.

Let's start using some common sense—and let's start now.

Vote to sustain the President's veto.
Mrs. VUCANOVICH. Madam Speaker, I rise today in opposition to the efforts to override the President's veto on H.R. 2507.

The Congress has developed a recipe for a witches brew. Take one cup of good intentions and worthwhile programs, one cup of feasible ideas, but add a pinch of fetal tissue provisions and what do you get? Disaster. That is what we have today.

The NIH bill is full of good programs—women's health programs, cancer programs, AIDS programs—all needed to help the people of our Nation. But this body continues to create disaster, by turning good legislation into fatal legislation. Fatal for the unborn children of our Nation, our future citizens.

Madam Speaker, the President has done a wise thing by vetoing this legislation and I will support this action. I want to support the veto and my constituents want me to do it. Let me share with you a letter I received from a woman in Las Vegas in my State of Nevada. It reads:

Thank you for your vote against fetal issue for research experimentation. We need to do all we can to make abortions less advantageous, we must do everything possible to not encourage the use of aborted babies. * * * I am 51 years old and could possibly benefit from findings of studies of Alzheimer's et cetera. However, I would not want my life spared, or even discomforts eased, if it took the life of an infant. I would rather be disabled or dead.

Madam Speaker, as a breast cancer survivor, I know what it is like to be thinking about death. It is extremely scary. But like this constituent, I could not live with the guilt of having killed an unborn child to save my own life. Luckily, we do now have an alternative.

The President has established a fetal tissue research bank. This bank is supported by Dr. C. Everett Koop, the former Surgeon General; as well as the Secretary of HHS Louis Sullivan, the Director of NIH Dr. Bernadine Healy, and the Assistant Secretary of the Public Health Service Dr. James Mason. Outside of the Federal Government, researchers from UCLA, Georgetown, the University of North Carolina at Chapel Hill, and the Universities of Southern California have all stated their support for this proposal. This proposal will work. We have already seen promising results in treating Hurlers syndrome with such tissues. We must continue to use this untapped source of normal viable fetal tissue.

Madam Speaker, let's work together to enact the worthy provisions of this legislation. Let's support the funding for research on breast, ovarian, and other cancers; diabetes, heart, and other devastating diseases. Let's stress the importance of the participation of women in medical research. But we must not pass disaster. We don't want it and our constituents certainly don't want it. I urge my colleagues to vote "no" on the NIH veto override and urge them to wait for legislation which will benefit all generations, living and future.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is, Will the House, on reconsideration, pass the

bill, the objections of the President to the contrary notwithstanding?

Under the Constitution, this vote must be determined by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 271, nays 156, not voting 8, as follows:

[Roll No. 222]

YEAS—271

Abercrombie	Ford (MI)	Mineta
Ackerman	Ford (TN)	Mink
Alexander	Frank (MA)	Moakley
Anderson	Franks (CT)	Molinaro
Andrews (ME)	Frost	Montgomery
Andrews (NJ)	Gallo	Moody
Andrews (TX)	Gedenson	Moran
Annunzio	Gephardt	Morella
Anthony	Geren	Morrison
Applegate	Gibbons	Mrazek
Aspin	Gilchrest	Murtha
Atkins	Gillmor	Nagle
AuCoin	Gilman	Natcher
Bacchus	Glickman	Neal (MA)
Barnard	Gonzalez	Neal (NC)
Bellenson	Gordon	Oakar
Bentley	Gradison	Obey
Berman	Green	Olin
Bevill	Guarini	Oliver
Bilbray	Hall (TX)	Owens (NY)
Blackwell	Hamilton	Owens (UT)
Boehlert	Harris	Pallone
Borski	Hatcher	Panetta
Boucher	Hayes (IL)	Pastor
Boxer	Henry	Patterson
Brewster	Hertel	Payne (NJ)
Brooks	Hoagland	Payne (VA)
Browder	Hobson	Pease
Brown	Hochbrueckner	Pelosi
Bruce	Horn	Perkins
Bryant	Horton	Peterson (FL)
Bustamante	Houghton	Pickett
Byron	Hoyer	Pickle
Campbell (CA)	Hubbard	Porter
Campbell (CO)	Huckaby	Price
Cardin	Hughes	Pursell
Carper	Jacobs	Rangel
Carr	Jefferson	Ravenel
Chandler	Jenkins	Reed
Chapman	Johnson (CT)	Richardson
Clay	Johnson (SD)	Ridge
Clement	Johnston	Riggs
Coleman (MO)	Jones (NC)	Rose
Coleman (TX)	Jontz	Rostenkowski
Collins (IL)	Kaptur	Roukema
Collins (MI)	Kennedy	Rowland
Condit	Kennelly	Roybal
Conyers	Kildee	Russo
Cooper	Klecza	Sabo
Cox (IL)	Klug	Sanders
Coyne	Kolbe	Sangmeister
Cramer	Kopetski	Savage
Darden	Kostmayer	Sawyer
DeFazio	Lancaster	Scheuer
DeLauro	Lantos	Schroeder
Dellums	LaRocco	Serrano
Derrick	Laughlin	Sharp
Dickinson	Leach	Shaw
Dicks	Lehman (CA)	Shays
Dingell	Lehman (FL)	Shuster
Dixon	Levin (MI)	Sikorski
Donnelly	Levine (CA)	Sisisky
Dooley	Lewis (FL)	Skaggs
Dorgan (ND)	Lewis (GA)	Skeen
Downey	Lipinski	Slattery
Durbin	Lloyd	Slaughter
Dwyer	Long	Smith (FL)
Dymally	Lowey (NY)	Smith (IA)
Early	Machtley	Smith (TX)
Eckart	Markley	Snowe
Edwards (CA)	Martinez	Solarz
Edwards (TX)	Matsui	Spratt
English	Mavroules	Staggers
Erdreich	McCloskey	Stark
Espy	McCurdy	Stokes
Evans	McDermott	Studds
Fascell	McHugh	Sweet
Fawell	McMillen (MD)	Swift
Fazio	Meyers	Synar
Feighan	Mfume	Tallion
Foglietta	Miller (CA)	Tanner
Foley	Miller (WA)	Thomas (CA)

Thomas (GA)	Vento	Wilson
Torres	Visclosky	Wise
Torricelli	Washington	Wolpe
Towns	Waters	Wyden
Trafficant	Waxman	Yates
Traxler	Weiss	Yatron
Unsoeld	Wheat	Zimmer
Upton	Whitten	
Valentine	Williams	

NAYS—156

Allard	Hayes (LA)	Peterson (MN)
Allen	Hefley	Petri
Archer	Herger	Poshard
Armey	Holloway	Quillen
Baker	Hopkins	Rahall
Ballenger	Hunter	Ramstad
Barrett	Hutto	Ray
Barton	Hyde	Regula
Bateman	Inhofe	Rhodes
Bennett	Ireland	Rinaldo
Bereuter	James	Ritter
Bilirakis	Johnson (TX)	Roberts
Bliley	Kanjorski	Roe
Boehner	Kasich	Roemer
Broomfield	Kolter	Rogers
Bunning	Kyl	Rohrabacher
Burton	LaFalce	Ros-Lehtinen
Callahan	Lagomarsino	Roth
Camp	Lent	Santorum
Clinger	Lewis (CA)	Sarpalius
Coble	Lightfoot	Saxton
Combest	Livingston	Schaefer
Costello	Lowery (CA)	Schiff
Coughlin	Luken	Schulze
Cox (CA)	Manton	Sensenbrenner
Crane	Marlenee	Skelton
Cunningham	Martin	Smith (NJ)
Dannemeyer	Mazzoli	Smith (OR)
Davis	McCandless	Solomon
de la Garza	McCollum	Spence
DeLay	McCrery	Stallings
Doolittle	McDade	Stearns
Dornan (CA)	McEwen	Stenholm
Dreier	McGrath	Stump
Duncan	McMillan (NC)	Sundquist
Emerson	Michel	Tauzin
Ewing	Miller (OH)	Taylor (MS)
Fields	Mollohan	Taylor (NC)
Fish	Moorhead	Thomas (WY)
Gallegly	Murphy	Thornton
Gaydos	Myers	Vander Jagt
Gekas	Nichols	Volkmer
Gingrich	Nowak	Vucanovich
Goodling	Nussle	Walker
Goss	Oberstar	Walsh
Grandy	Ortiz	Weber
Gunderson	Orton	Weldon
Hall (OH)	Oxley	Wolf
Hammerschmidt	Packard	Wylie
Hancock	Parker	Young (AK)
Hansen	Paxon	Young (FL)
Hastert	Penny	Zelliff

NOT VOTING—8

Bonior	Flake	McNulty
Edwards (OK)	Hefner	Schumer
Engel	Jones (GA)	

□ 1213

The Clerk announced the following pairs:

On this vote.

Mr. Jones of Georgia and Mr. Flake for, with Mr. Edwards of Oklahoma against.

Mr. RAMSTAD changed his vote from "yea" to "nay."

So, two-thirds not having voted in favor thereof, the veto of the President was sustained and the bill was rejected.

The result of the vote was announced as above recorded.

The SPEAKER. The message and the bill was referred to the Committee on Energy and Commerce.

The Clerk will notify the Senate of the action of the House.

PERSONAL EXPLANATION

Mr. ENGEL. Mr. Speaker, I was attending my son's graduation and missed rollcall vote 222, on the veto override of H.R. 2507, the National Institutes of Health authorization. Had I been present, I would have voted "aye".

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4318

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that my name be withdrawn from the sponsorship of the bill, H.R. 4318.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON TRANSPORTATION AND HAZARDOUS MATERIALS AND COMMITTEE ON ENERGY AND COMMERCE TO SIT DURING 5-MINUTE RULE ON TODAY AND BALANCE OF THE WEEK

Mr. SWIFT. Mr. Speaker, I ask that the Subcommittee on Transportation and Hazardous Materials and the full Committee on Energy and Commerce be permitted to sit during proceedings of the House under the 5-minute rule today and subsequent days of this week.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker signed the following enrolled bill on Tuesday, June 23, 1992:

Senate 2703. An act to authorize the President to appoint Gen. Thomas C. Richards to the Office of Administrator of the Federal Aviation Administration.

AGREEMENT BETWEEN REPUBLIC OF ESTONIA AND THE UNITED STATES CONCERNING FISHERIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. No. 102-349)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Merchant Marine and Fisheries and ordered to be printed:

To the Congress of the United States:

In accordance with the Magnuson Fishery Conservation and Management Act of 1976 (Public Law 94-265; 16 U.S.C. 1801, *et seq.*), I transmit herewith an Agreement between the Government of the United States of America and the Government of the Republic of Estonia

Concerning Fisheries off the Coasts of the United States, with annex, signed at Washington on June 1, 1992. The agreement constitutes a governing international fishery agreement within the requirements of section 201(c) of the Act.

Fishing industry interests of the United States have urged prompt implementation of this agreement to take advantage of opportunities for seasonal cooperative fishing ventures.

GEORGE BUSH.

THE WHITE HOUSE, June 23, 1992.

PROVIDING FOR CONSIDERATION OF H.R. 5427, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1993

Mr. DERRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 499 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 499

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 5427) making appropriations for the Legislative Branch for the fiscal year ending September 30, 1993, and for other purposes. The first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations, the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived. The amendment printed in section 2 shall be considered as adopted in the House and in the Committee of the Whole. No other amendment shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Unless otherwise provided in this resolution, amendments shall be considered in the order and manner specified in the report except that an amendment in the form of a limitation or retrenchment shall remain subject to the provisions of clauses 2(c) and 2(d) of rule XXI. Unless otherwise specified in the report, each amendment may be offered only by the named proponent or a designee, shall be considered as read, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. Any time specified in the report for debate on an amendment shall be equally divided and controlled by the proponent and an opponent. All points of order under clause 2 of rule XXI against the amendments in the report numbered 1 and 9 are waived. When the Committee rises and reports the bill to the House with such amendments as may have been adopted, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

SEC. 2. The amendment considered as adopted in the House and in the Committee of the Whole is as follows:

On page 34, strike line 17, beginning with "Notwithstanding" through line 20, ending with "amounts" and insert in lieu thereof "Amounts".

On page 34, insert on line 3 after "use" the following: "Provided, That no such amounts may be transferred before the date of the enactment of an Act authorizing the use of funds for that purpose."

The SPEAKER. The gentleman from South Carolina [Mr. DERRICK] is recognized for 1 hour.

□ 1220

Mr. DERRICK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from New York [Mr. SOLOMON], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 499 provides for the consideration of H.R. 5427, the legislative branch appropriations bill for 1993. The rule provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Appropriations Committee.

The resolution waives all points of order against the bill for failure to comply with clause 2 of rule XXI. This provision prohibits unauthorized appropriations or legislative provisions in general appropriation bills. In addition, the resolution waives all points of order against the bill for failure to comply with clause 6 of rule XXI. This clause prohibits reappropriations in general appropriation bills.

The resolution provides that upon its adoption the amendment printed in section 2 of the rule is considered as having been adopted in the House and the Committee of the Whole. This amendment would prohibit the transfer of funds from the Library of Congress to the Architect of the Capitol until subsequent authorizing legislation is enacted.

The rule also provides that only those amendments printed in the report of the Committee on Rules will be in order. The amendments may be considered only in the order and manner specified, except that limitation amendments must be considered under the procedures set out in clauses 2 (c) and (d) of rule XXI. These provisions require the motion to rise be defeated before a limitation amendment is in order. The rule also provides that the amendments in the report are not subject to amendment nor to a demand for a division of the question.

The rule waives clause 2 of rule XXI against the Swett-Klug amendment, amendment No. 1, and against the Walsh-Roberts amendment, amendment No. 9. Finally, the rule provides for one motion to recommit.

Mr. Speaker, this rule will allow the House to consider H.R. 5427, the legislative branch appropriations bill for 1993. The bill would appropriate a total of

\$1.8 billion, of which approximately \$1.075 billion would support directly the operations of the House of Representatives and House-Senate joint items. The remaining \$733.5 million would fund the operations of other Government agencies, including the Library of Congress, the General Accounting Office, the Government Printing Office, and the Copyright Royalty Tribunal.

Mr. Speaker, this is a fiscally responsible bill any way you look at it. The total appropriated is just under \$20 million below last year's appropriations. Overall outlays, which have direct impact on the Federal deficit, will be reduced by \$104 million under last year for the agencies covered by the bill, which is 5.7 percent under fiscal 1992 outlays currently projected by the Congressional Budget Office. Moreover, the total recommended in this bill is \$295.4 million below the President's budget request—a reduction of 14 percent.

The bill makes deep cuts that will hit every area of legislative operations including: a hiring freeze; a \$27 million cut in mailing costs; a \$6.2 million reduction in congressional printing costs; an \$8.2 million cut in maintenance and repairs; a \$4.5 million cut for House supplies and materials; a \$1.2 million reduction in police costs; and a freeze of the Congressional Research Service and all joint committees at last year's level.

Mr. Speaker, since 1978 the legislative branch budget has increased less per year than the consumer price index. By contrast, funds for the executive branch have grown at a rate 41 percent higher than the legislative branch. The bill does not include any previously appropriated but unspent funds and contains more cuts than in any other year in the history of the legislative branch appropriations bill.

Mr. Speaker, House Resolution 499 is a carefully crafted rule that will expedite consideration of this important legislation. I urge my colleagues to support the rule and the bill.

I reserve the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Speaker, I am opposed to the rule because it restricts what is traditionally an open process.

I rise in opposition to this rule because it does not waive points of order against all amendments.

Specifically, the Gekas amendment, which would close the grandfather clause loophole and prohibit converting excess campaign funds for personal use, is denied such protection.

If enacted, the amendment would allow us to treat those Members elected before 1980 the same as all others—precluded from converting campaign money to personal use.

Members would have the opportunity to donate the money to charity, support other political candidates, or return the funding to their contributors. Any remaining funding would be returned to the Treasury.

This is a responsible and badly needed amendment which I strongly endorse. Why should we be denied the opportunity to eliminate this dubious practice? To accept this rule is to condone being stripped of our rights as Members of this House.

Without protection from points of order for all amendments, we are confronted with what I call a modified gag rule.

I deplore this rule, and I urge its defeat.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am ashamed to have to say that if I were to assign a grade to this rule, I would give it a D or an F; a D for deceit, and an F for fraud.

Mr. Speaker, Members of this House are being deceived and defrauded when they are being told that this is somehow a fair rule that makes in order 11 amendments.

Now, either intentionally or unintentionally, we were tricked upstairs in the Committee on Rules during the rush to report this rule to the floor. We assumed in good faith that amendments made in order under this draft rule were given the necessary protection against points of order, as they always are. That is how we have always operated around here. So we concentrated our efforts on offering motions to make in order some 14 other Republican amendments that had been left out of this rule.

It was only after this rule was filed and the House had adjourned that we discovered that half of the amendments made in order were not properly protected, and are, therefore, vulnerable to points of order. That's 5 out of the 11 amendments. And one other amendment must go through the procedural hoops of defeating the motion to rise if it is to be offered at all.

In short, Mr. Speaker, we are not talking about 11 amendments that can be offered on this floor today. We are talking about just 5 out of 32 that were filed. Only five may come to an actual vote.

Mr. Speaker, what kind of goings on is this?

Mr. Speaker, I think it is disingenuous for the Committee on Rules to lead Members to believe their amendments have been made in order and then fail to give them the proper protection.

Members, especially newer Members around here, have a tough time, as does the press upstairs and the American people watching this charade, in understanding the Committee on Rules' manipulations as it is. This rule deserves the contempt and scorn of this House on that basis alone.

But on top of that, of the 14 Republican amendments not included in this rule, 10 were legitimate cutting amendments that would be allowed under a normal appropriations amendment process, just like we had last year. Nothing happened. The place did not fall apart last year. But for no good reason, they were excluded from this rule this year.

Mr. Speaker, this rule is an insult to every Member of this House and an abdication of the constitutional powers of the Congress. It must be defeated if we have any pride and any respect left for this institution.

This is the first time in my 14 years in this body, and, to the best we can determine, the first time in history, that the Committee on Rules has recommended limiting the amendment process on a legislative branch appropriations bill. And today the Committee on Rules may consider reporting a similar rule for the foreign operations appropriations bill, the fourth such rule for that bill. The committee is meeting upstairs on that right now.

Mr. Speaker, every once in a while I think we would do well to take a step back and consider just what the Framers of our Constitution had in mind and just how much we have departed from their original intent.

With that in mind, Mr. Speaker, let me read just briefly from *Federalist No. 58* by James Madison:

This power over the purse may, in fact, be regarded as the most complete and effectual weapon with which any Constitution can arm the immediate representatives of the people for obtaining redress of every grievance and for carrying into effect every just and salutary measure.

Mr. Speaker, I would ask my colleagues to seriously consider those words from one of our Founders in the context of this rule. Here we are, dealing with one of our 13 regular appropriations bills, exercising one of the most important constitutional powers we have: The power of the purse. And we are being asked by the Committee on Rules to limit that power, to restrict ourselves, to in effect disarm ourselves of what Madison referred to as our "most complete and effectual weapon."

Mr. Speaker, I just cannot imagine my colleagues engaging in this kind of unilateral disarmament, any more than I can imagine the President giving up his powers as Commander in Chief. The power of the purse is one which has been wielded by both parties and members of all ideological persuasions to effect policy change in the administration.

Mr. Speaker, the power of the purse should be just as applicable when it comes to the spending policies of this Congress as it is to the spending policies of the executive branch. Is this to be another instance in which we exempt ourselves from the same scrutiny

we inflict on others? I would hope not. Lord knows we are not "Simon Pure" around here.

Mr. Speaker, last week when I learned that the Committee on Rules was requiring the advance filing of amendments to both the legislative branch and foreign operations appropriations bills, I wrote to the Speaker and urged that you reverse what I called this ill-conceived precedent.

□ 1230

I went on in that letter to observe that a similar restriction on a rule last year on the foreign operations bill set off a storm of protest in this House that led to a meeting in your office.

What initially came out of that meeting, Mr. Speaker, was an olive branch from you on the issue of restrictive rules and our minority right to recommit. I am afraid that the only thing we are left with from that olive branch today is the shaft, Mr. Speaker, because that is what we have been getting over and over again from the majority this year.

Mr. Speaker, it is not unreasonable to ask that this House follow the regular order on appropriations bills. It has worked for over 200 years. Yes; 200 years.

I would point out that I am not asking for a special rule to make in order nongermane amendments or legislative or unauthorized provisions.

While the majority does regularly report those kinds of amendments, all I am asking for is an open rule that is provided for under standing rules. I am simply asking for a return to the regular amendment process. There is not a great deal of political mischief that can be done with such simple amendments, contrary to what the Speaker seems to think. If there is anything political about this whole process it is the majority's imposition of an unfair rule that arbitrarily restricts the amendment process for the purpose of protecting the majority's turf. That should not be any more exempt from fiscal scrutiny than the military construction bill that was on the floor yesterday. And that process worked fine under an open rule.

In conclusion, Mr. Speaker, I hope this House will be infused with a fresh sense of historical, constitutional, and fiscal purpose by voting down the previous question on this rule so that we can substitute an open rule, which we are entitled to.

To support this rule is to abdicate the most important power we have as Members of the first branch of Government, our power over the purse strings of this Government. Once we lose that, I think we have forfeited the most sacred trust placed in our hands by the people who sent us here.

Mr. Speaker, enough is enough is enough. We need to defeat the previous question and pass a

rule that will allow an open amendment process so we can make cutting amendments or adding amendments as provided for under the standing rules of this House.

Mr. Speaker, I include for the RECORD a copy of the letter to which I referred and a document entitled "Restrictive Rules on Appropriations Bills, 95th-102nd Congresses."

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 18, 1992.

The Speaker,

U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I am writing to strongly protest announced plans to restrict amendments on the Legislative Branch and Foreign Operations Appropriations Bills.

As you will recall, last year at this time a furor was provoked in the House over a rule limiting amendments to the foreign operations bill. As we noted at the time, it was virtually unprecedented to prevent Members from offering simple cutting amendments under an open amendment process. And that is virtually all they are left with given existing rules against legislating and authorizing on appropriations bill, and give the fact that most bills are already up against their budget allocation spending ceilings. Cutting amendments are not too complicated to deal with under an open amendment process.

To further restrict the rights of Members by requiring the pre-filing of amendments with the Rules Committee, and thereby giving it the right to pick and choose which to make in order, severely cripples the legislative process and our most fundamental prerogative under the Constitution to appropriate money and exercise the powers of the purse string.

I strongly urge you and your majority leadership to reconsider and reverse this ill-conceived precedent, especially if, as it appears, it is being applied selectively. Congress already has lost enough of this prerogative without its consciously trying to further dilute its most fundamental prerogative to appropriate and control government spending.

Sincerely yours,

GERALD B. SOLOMON,
Member of Congress.

RESTRICTIVE RULES ON APPROPRIATIONS BILLS, 95TH-102ND CONGRESSES 96TH CONGRESS

Four restrictive rules were granted on regular appropriations bill: H. Res. 664 on H.R. 7932, the Legislative Branch Appropriations bill, permitting open amendment process except only one specified amendment on the subject of Congressional pay; H. Res. 1236 on H.R. 12928, Public Works Appropriations, prohibiting amendments only in one specified area; H. Res. 1220 on H.R. 12929, Labor-HEW Appropriations, making in order only two amendments to the abortion section; and H. Res. 1230 on H.R. 12932, Interior, prohibiting amendments that would make the availability of appropriations contingent on enactment of the relevant authorizations.

96TH CONGRESS

One restrictive rule, H. Res. 335, was granted on a regular appropriation bill, H.R. 4389, Labor-HEW Appropriations, permitting only two amendments to the section on abortion.

97TH CONGRESS

No restrictive rules were granted on a regular appropriation bill.

98TH CONGRESS

No restrictive rules were granted on a regular appropriations bill.

99TH CONGRESS

One restrictive rule (H. Res. 481) was granted on a regular appropriations bill: H.R. 5052, the Military Construction Appropriations bill, but it did not affect the regular amendment process—only a new title relating to Contra Aid.

100TH CONGRESS

One restrictive rule (H. Res. 457) was granted on a regular appropriations bill, H.R. 4637, the Foreign Operations Appropriations bill, permitting only 18 amendments printed in the Rules Committee report (11 Republican and 7 Democrat).

101ST CONGRESS

One restrictive rule (H. Res. 425) was granted on a regular appropriations bill, H.R. 5114, the Foreign Operations Appropriations bill, permitting only 11 amendments printed in the Rules Committee report (8 Democrat and 3 Republican).

102ND CONGRESS, (FIRST SESSION)

One restrictive rule (H. Res. 177) was granted on a regular appropriations bill, H.R. 2621, Foreign Operations Appropriations, permitting only 11 amendments (6 Democrat and 5 Republican).

[Note: The above data does not include rules for continuing resolutions (CRs).]

Mr. SOLOMON. Mr. Speaker, I reserve the balance of my time.

Mr. DERRICK. Mr. Speaker, I yield myself such time as I may consume.

I normally do not pay much attention to those wild accusations like were just made about the Committee on Rules, but I do think that someone must stand up and remind the gentleman, and he is a very bright guy, one of the brightest guys in this body, a good friend of mine, but he very well knows, because he was in the Committee on Rules, that there were 32 amendments that were submitted. Five were withdrawn, 2 submitted late, and that we allowed 12 under the rule.

I understand that some of those are subject to a point of order, but there are several that are not. And of those 12, 10 are Republican amendments and 2 were Democratic amendments.

My colleagues may disagree with the rule, and they may disagree with what the rule allows us to consider. But I really do think it is quite unfair, and the gentleman does not do himself much favor in the eyes of the rest of the House when he so unfairly, in my opinion, criticizes the Committee on Rules, not just criticizing what it is doing but criticizing it personally.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. DERRICK. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I would say to the gentleman, who I have a great deal of respect for, there is one thing I am very proud of. If the gentleman reads the Almanac of Politics and the Congressional Quarterly, they quote two things about me in there, and they say that "Gerry Solomon does

not take cheap shots, that he is recognized on both sides of the aisle for that."

But when I get exercised over what happened up there yesterday, my good friend, when I read the rule, which states that all points of order under clause 2 are waived for amendments 1 and 9, that is just unprecedented, my good friend, and the gentleman knows it.

It normally would say amendments 1 through 9. We did not ask the gentleman to read the whole rule. We did not ask to take up the time. We expected good faith explanations of the bill. That did not appear on the attachment.

The gentleman knows it. That is why we are so concerned on this side of the aisle.

Mr. DERRICK. Mr. Speaker, let me just say this, that I will stand by my original statement, that I think the gentleman does not do himself any justice of the person that he is, nor does he do the committee on which he serves, when I think he is so unfairly critical in a very personal way of the Committee on Rules.

Mr. Speaker, I yield 4 minutes to the gentleman from Delaware [Mr. CARPER].

Mr. CARPER. Mr. Speaker, I thank the gentleman for yielding time to me.

This legislative branch appropriations bill is brought to us today by a subcommittee that is headed by two of the people in the House that I most respect: the gentleman from California [Mr. FAZIO] and the gentleman from California [Mr. LEWIS]. They have done, I believe, good work.

It has been mentioned thus far in the debate on the resolution that cuts, significant cuts are to be made in the way we spend money to run the legislative branch of our Government. I do not want to overstate the magnitude of those cuts, but indeed, if this bill is adopted, just as it is before us today, we will spend roughly \$20 million less in 1993 to run the legislative branch of our Government than we are spending in 1992.

Some would argue that \$20 million is not a lot of money, but I would say it is a lot better than spending \$20 million more or \$200 million more or \$2 billion more.

For us to be realistic, I think it is important that we remember, we are not going to balance the budget by cutting spending in this bill. We could zero this bill out entirely. We could zero out each of the 12 appropriation bills that deal with domestic discretionary spending entirely. Or, alternatively, we could elect to eliminate entirely the Defense appropriations bill, and by doing any one of those alone, we will not have eliminated our budget deficit. We will still have a significant budget deficit, unless we also address runaway entitlement program spending that is

outside the jurisdiction of the appropriations committee.

Again, the cuts that will be offered in amendments here today are not of a magnitude that will make an appreciable difference in the size of our budget deficit. What is important is that we demonstrate some leadership by example and tighten our belts in the legislative branch of our government.

Of the 30 or so amendments that were requested to be made to this bill, some have merit. Some are dubious, and some are what the gentleman from Wisconsin [Mr. OBEY] refers to as "posing for political holy pictures."

Having said that, though, I am not comfortable with our effectively limiting the ability of Members to offer as few as six amendments to this bill by adopting the rule now before us. I am happy to stand with the gentleman from California [Mr. FAZIO] and with others to argue, to speak against amendments that have no merit and to defeat them, as we should. I am happy for us to limit the amount of time that can be allotted to discuss an amendment, 5 minutes, 10 minutes, whatever, to get them over and out of the way, particularly those that are not meritorious.

I do not believe we should be limiting the number of amendments that can be offered to this bill as severely as this rule, in reality, limits them.

My leadership of this House, a leadership that I helped to elect, worked hard 2 weeks ago to defeat the balanced budget amendment that I had worked on for 7 years.

We debated it, had a fair fight. Those of us who supported the amendment believed its adoption and ratification would lead to reducing our budget deficit in the years ahead. When the votes were counted, though, we lost.

Now my same leadership seems to be inclined to limit amendments to spending bills. I do not know how, on the one hand, we can say we do not need an amendment to the Constitution that requires the President to propose a balanced budget, and makes it more difficult for the Congress to unbalance the budget, and, then having defeated that constitutional amendment, to limit the amendments that can be offered to this spending bill or, frankly, to other spending bills.

I do not believe this is the kind of precedent that we want to set. It certainly is not a precedent that I am comfortable in setting.

I will oppose this rule as a result. One of the amendments that is not going to be made in order today is an amendment that would have been offered by the gentleman from Louisiana [Mr. HOLLOWAY]. That amendment would have limited, or reduced somewhat, the amount of money that we spend on committees around here.

□ 1240

Everybody in this Chamber knows that we have too many committees,

too many standing committees, too many select committees, and too many subcommittees of those committees. As a result, we walk all over one another's turf, we get in the way, we hinder the operation of our people's business. Yet, we are not going to have a chance to vote for that amendment today, or against others which deserve to be defeated. I think that is a shame, and I would urge the defeat of this rule.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California [Mr. LEWIS], who is the ranking member of the Legislative Subcommittee of the Committee on Appropriations.

Mr. LEWIS of California. Mr. Speaker, I rise in strong opposition to this rule. It is important for the Members to know that we are establishing a precedent here that could indeed undermine a longstanding pattern relative to appropriations bills. When those bills come to the floor we are spending the people's money. If we ever want to get a handle on our budget deficit we have to have access to every item of expenditure, for indeed, the people's dollars are involved.

In this case, I would urge even more intently that it is a mistake to suggest that we ought to have a closed rule. I do not recall a time in which the Committee on Rules produced a bill in which they made amendments in order that in turn were not protected; that is, they were subject to points of order, on the one hand, while on the other hand that same Committee on Rules made the decision to not approve amendments that fully qualify in terms of normal amendments to an appropriations bill.

The amendment offered by the gentleman from Louisiana [Mr. HOLLOWAY] that involved dollar reductions dealing with select committees, the amendment by the gentleman from Florida [Mr. STEARNS] that would do the same, the amendment by the gentleman from Pennsylvania [Mr. SANTORUM] dealing with mail, not made available for consideration under this bill, when they would be fully qualified. So it is a closed rule establishing a process whereby that could become the pattern for all Appropriations Committees' bills.

Most importantly, with this Appropriations Subcommittee report, it deals with expenditures for the Members' body. This is the people's body first, but the Members work and run this operation. Certainly they ought to be able to speak to the question of how we appropriate funds for those various activities. To limit the subcommittee report of the Committee on Appropriations in this fashion by way of this rule indeed is almost an insult to the committee process.

Indeed, in my judgment, the Committee on Rules ought to think very carefully about what they are bringing to

the floor today. If this becomes the first step to a series of limited rules on appropriations bills, we will have changed the direction of the appropriations process. The leadership may be undermining our capacity to get a handle on our deficit.

Mr. DERRICK. Mr. Speaker, I have one request time, and I reserve the right to close debate.

Mr. SOLOMON. Mr. Speaker, I yield 3½ minutes to the gentleman from Kansas [Mr. ROBERTS], who is a member of the Subcommittee on Personnel and Police of the Committee on House Administration.

Mr. ROBERTS. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, first I want to thank the Committee on Rules for the three amendments that were made in order that I will offer when we get to that process, but I want to talk about the one amendment that was exceedingly important that was denied. In this regard I want to associate myself with the remarks of my colleague, the gentleman from California [Mr. LEWIS], who made some very excellent statements as to the purpose here.

We had an amendment, "we" meaning the gentleman from Michigan [Mr. UPTON] and myself, which would have reduced the official mail allowance to a more realistic appropriation level all members know that we would not have forced any Members to cut their current mailing practices. This amendment would have done a very simple thing. We would have reduced the account from \$53 million, \$53 million, to \$41 million. Why? Because in the off-year, not the year of election, the last time around we only spent \$31 million. Now we have programmed in \$53 million? Our amendment would have cut it to \$41 million and had a \$10 million cushion.

What we are seeing here is the use of the franking appropriation as a bank to use for other purposes. It is not right.

Mr. UPTON. Mr. Speaker, will the gentleman yield?

Mr. ROBERTS. I am delighted to yield to the gentleman from Michigan, my cosponsor.

Mr. UPTON. Mr. Speaker, if the gentleman will remember, last year he and I both introduced and battled an amendment to reduce franking costs last year that, unfortunately, we lost by 20 votes. It would have cut franking by \$20 million last year.

I would ask the gentleman from Kansas, what happened to that \$20 million that we failed to cut last year?

Mr. ROBERTS. The gentleman is exactly right. We would have reduced the franking allowance from \$80 million to \$59 million, so consequently we had about \$20 to \$21 million that was reprogrammed. When we considered the emergency supplemental bill, that was used as an offset. That went to the

Treasury. All that money that was supposed to go for the mailing costs, it went to the Treasury as an offset for some programs that we wanted to fund around here.

Mr. UPTON. If the gentleman will continue to yield, in other words, we were arguing that we made tough choices when we battled the constitutional amendment to balance the budget a couple of weeks ago, and in essence, those moneys that we tried to cut and we tried to offer with the gentleman's amendment today, in essence it is just going to go for something else, is that correct?

Mr. ROBERTS. Last year it was \$20 million used to offset some cost in the supplemental. This year it will be \$12 million. It will be reprogrammed, doubtlessly, for what program I know not. There will be no hearings, there will be a decision by the subcommittee.

This is exactly the kind of thing most Members in this body object to. We ought to have a mailing account that is used for mail, not as a bank for some other kind of reprogrammed fund. The gentleman is entirely correct.

Mr. UPTON. If the gentleman will continue to yield, if I might ask the gentleman from New York [Mr. SOLOMON], is it his recollection that, as we have debated the legislative appropriation bill every year, that we have had amendments that have been offered to reduce the franking costs?

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. ROBERTS. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I would just say that many of the amendments that were denied this year were allowed last year under a fair procedure.

Mr. ROBERTS. If I could make the statement, it was under the legislative appropriations bill that we capped the mailing cost, that we made it public and we provided the current mail allowance. This was the vehicle for reform. Now it is not the vehicle for reform, and why Members should vote against this rule. If they vote for the rule, they are voting for \$12 million more than they need on mailing to be reprogrammed somewhere else. It is not right.

Mr. SOLOMON. Mr. Speaker, I assume that if the majority does have speakers that come on the floor, they would enlighten us. In the meantime, I will assume they only have one speaker.

Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, there are a number of reasons why Members should not vote for this particular rule. First of all, it is a flawed rule. The self-enacting provision that they put in the rule, they drafted it wrong. The whole thing ends up making the bill into gibberish, so if Members vote for this rule,

it is a flawed rule that they did not even write right when they sent it down here late last night.

Second, this is by far the single most fraudulent rule I have seen in this Congress since I have been here. Let me tell the Members why it is a fraud. It is a fraud first of all because it denies Members their basic right to strike spending from bills. This is something which we can bet will become a precedent. We can bet the Committee on Rules will be back here with other rules on other appropriations bills designed to stop spending, and in this case, allows spending to go forward.

Then they have the audacity, the audacity to come to the floor and claim that they made a lot of particular amendments in order, amendments like the Santorum amendment on the Capitol Buildings account, or the Gekas amendment on the grandfather clause, or the Smith amendment on funding of legislative branch overheads. They claim they made those in order. However, they did not give them a waiver, so therefore, they are subject to points of order.

To put those in this rule is a fraud. It is a phony, just like this entire rule is a fraud. It is a phony. The Committee on Rules knew when they were writing this bill or writing this rule that it was a fraud and it was a phony.

Then to have people come to the floor and to describe it as fair to the minority, "We gave you amendments, these are something that we have given you," let me tell the Members, giving us this as they strip us of our rights is nothing. It is like when the people in the South some years ago, I would say to the gentleman from South Carolina [Mr. DERRICK], were stripped of their rights but were told how nice it was that "We give you a hovel to live down behind the plantation house." It is a little like when people in Germany, in Nazi Germany, were stripped of their rights and told how nice it was that they were given someplace to live in a concentration camp. That is the same kind of petty despotism which is represented in this rule.

□ 1250

I am convinced, now having seen this rule, that what we have in the Rules Committee are a group of petty despots who will take nearly any stance that is needed in order to preserve the dictatorship that is evolving in this House of Representatives. They are willing to do anything to enforce the politics of this House.

In this particular case, the bill before us is a bill designed to increase the spending of the House. It is a bill designed to protect the perks and to protect the privileges of the House. And what do we have, we have the first rule in the history that I know of, at least in the history that I have been here, that prevents us from stopping the

spending, that prevents particular amendments.

For example, we had a 1-percent across-the-board cut in the bill that was brought before us yesterday. Guess what this rule prevents? It prevents the gentleman from Florida [Mr. STEARNS] from offering a 2-percent across-the-board cut. Is that not something? We can have a 1-percent across-the-board cut when it comes to military construction, but we cannot have a 2-percent across-the-board cut in this bill, no. You know, we cannot treat ourselves the way we treat other accounts. Or how about the franked mail. We prevent franked mail from being cut.

This is an absolutely despotic rule. It ought to be rejected overwhelmingly.

Mr. DERRICK. Mr. Speaker, I yield myself such time as I may consume and I will take just a moment here with this spirited criticism of the Rules Committee and say that the gentleman who just spoke very well knows that there is a motion to recommit in there, that he can include across-the-board cuts, he can include all of the other cuts that he particularly wants.

I had occasion to visit in the part of Pennsylvania that the distinguished gentleman represents, and I enjoyed it very much. I found some of the finest people in the world. And I really do regret that you find it necessary to compare my part of the United States with Nazi Germany. I mean I think it is just horrible. I have been up here a long time and I do not think I have ever had anyone who showed so little respect for a part of the country.

Mr. WALKER. If the gentleman will yield, I did not compare his part of the country. I compared two different times when in his part of the country, before the Civil War when there was slavery, when people were told that somehow they were being treated nicely on the plantation. I also compared that to the situation in Nazi Germany and this rule to Nazi Germany where people were also denied their rights, and then told how well they were being treated in the concentration camps. That is what I was referring to. I did not compare.

Mr. DERRICK. I will take back the balance of my time. My interpretation of what you said and I think most people who were listening would understand that what you really meant is you were comparing my part of the country with Nazi Germany, and I resent it.

Mr. WALKER. If the gentleman will yield, that is not what the gentleman said.

Mr. SOLOMON. Mr. Speaker, let me just say that the next Governor of the State of Delaware, a good Democrat who is a fiscal conservative, I think, spoke to this unfair rule.

Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. Mr. Speaker, I thank the gentleman from yielding me the time.

At first blush I should be grateful that the Gekas amendment was made in order by the Rules Committee. But on a second glance, and after real inspection of the rule, I would rather it go down with the previous question than to accord the privilege of arguing on a Gekas amendment that will be subject to points of order.

The Gekas amendment will go a long way toward reform of this body and to raise the self-esteem of this body in the eyes of the public. And I want very much to argue that point of order that is sure to be raised to show the germaneness of it, to show the legislative capability of it. But I would rather forgo all of that if indeed this rule is permitted to stand which treats everything else so unfairly.

I will vote against the previous question.

Mr. SOLOMON. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. FAWELL], chairman of the porkbusters task force.

Mr. FAWELL. Mr. Speaker, this rule obviously sets a brand new order. Those of us who have been standing up now and then and suggesting, we hope in the best of ways, that cuts are in order, are frustrated to suddenly have this new precedent set forth which requires that we must trek up to the Rules Committee in order to offer such amendments. With all due respect to that body, they represent the leadership, the same leadership that killed the balanced budget amendment and professed that Congress had the will to be able to do something about controlling government spending. And as a practical matter, what this rule says to the ordinary Members of this body who do not hold titles that are outstanding and so forth, but who want to play a part in the appropriations process—this rule says that such rank and file Members are not going to really be able to play a role. We are now going to have a filter of correct political thinking which we will have to be able to bypass.

To me this is just atrocious when you have this kind of action taking place. After all that we have gone through, and at the very time when I thought the appropriations process was opening up to where members on the Appropriations Committee were recognizing that other Members did have things to say of merit, then to slam the door like this and close the open rule, words fail me. I hope that the body will get together and for once just vote down the darn rule.

Mr. Speaker, this rule sets a new order. No longer can Members present an amendment at any time during the debate on an appropriation bill. Members now must get prior approval from the Rules Committee to present an

amendment affecting—of all appropriation bills—the legislative appropriation bill.

If the leadership of the House does not want an amendment to be presented on the floor of the House, it simply will not be presented. This is the same leadership that killed the balanced budget amendment because they said it did not make the tough decisions to cut spending.

Well * * * here was your first chance to make a tough decision. And what is leadership's response? Muzzle the Members of the House on the floor. Put them through the filter of correct political thinking. Especially those who are not members of the appropriations committee so they cannot cut the money Congress spends on itself.

By limiting amendments, leadership is saying in effect: "Trust us, we know best how appropriations should be cut."

Mr. Speaker, the \$4 trillion national debt, the one-half trillion dollars of new debt this year, the \$300 billion we must spend this year to pay interest on the national debt; the 23 years in which Congress has failed to balance a budget; all has come about to a great extent because of appropriation bills. The debt fiasco did not mysteriously appear overnight. Now, I grant you the Presidents who have been in office over the past 23 years are just as guilty as the appropriators in bringing about this fiscal mess.

But, muzzling the individual Members of this Congress especially now—smacks of an imperialism by the elite group that rules this House. This is the first time in my 8 years here that we've been thus muzzled on appropriation bills. It's the first time we have been denied the open rule right to present amendments to an appropriation bill. Most of us ordinary Members do not have important titles. But I can tell you that this body is in great need of advice from wherever it can get it when it comes to setting budgets and appropriating money.

In short, Mr. Speaker, this rule coming on the heels of the defeat of the balanced budget amendment, sets terrible precedent. It illustrates a disdain of the taxpayers of this Nation and, indeed, of their representatives in this House. One may not like some of the amendments which were to be or might be offered if the rule were open. I would not have voted for all of them. But, I respectfully submit that any Member should have a right to present them, especially under the dire financial circumstances which fact this Nation.

Mr. SOLOMON. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. SANTORUM].

Mr. SANTORUM. Mr. Speaker, again the House of Representatives hits an alltime low. Here we are, all of us who are back home running for reelection saying we are for reform, we are going

to change this place, we are going to put a new face on this place, yes, we are out here running saying we are going to do great things, but when the time comes to put up, where are we? This is a put-up vote.

Those of you in the gallery, back in your offices, Members back home, this is a put-up vote. You cannot go back and say you are for reform in this institution. You cannot go back home and say that we are going to cut this, and we are going to put our house in order unless you vote "no" on this rule.

This is a put-up vote. This is one that counts. This is one that will be recorded as to whether you want to reform this institution, cut the waste and abuse that goes on here, put a new face on this institution and move forward. This is the vote right here on this rule, because if you do not allow it, then all of these amendments, good amendments that would have been allowed under any other circumstances on an appropriation bill, we are not going to get a chance to vote on them.

This is the vote.

Mr. SOLOMON. Mr. Speaker, I yield 1 minute to the gentleman from Ohio, Mr. BOEHNER.

Mr. BOEHNER. Mr. Speaker, this institution today is under indictment by the American people. The need for reform is clear.

Last week this House, by an almost unanimous vote, voted to put in a committee to look at institutional reform. We cloak ourselves every day lately in this bipartisan need for reform of the House. One such reform that we need is this business of sending closed rules to this floor.

People in America think that we have democracy in America and we have democracy in this House. The fact is that we do not. We only debate, and we only vote on what the Democrat leadership of this Congress will allow us to consider, to debate, and to vote on.

If I had been allowed to offer an amendment today that I had offered in committee, we would have stopped the practice of allowing Members to buy voter lists in order to target their political junk mail into the districts. I thought we were elected to represent all of the people in our districts. But under this closed rule, I am not allowed to offer my amendment.

The only alternative I have is to vote against this rule and to try to bring an open rule to this floor.

Mr. SOLOMON. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Speaker, I rise in strong opposition to this grossly unfair and undemocratic rule.

Just 1 short week ago, the Members of this House were honored to hear the words of Russian President Boris Yeltsin. President Yeltsin made a num-

ber of promises to the Congress and the people of the United States. He promised that the days of a political party which dominated its opponents, closed off debates, bent the rules of every process it contrived to its advantage, and lied about its actions would never return to his country.

They were courageous words, but they were not just words. We have seen actions that legitimate these promises. They represent a true commitment that government will never again trample over democracy in that country.

Remembering that speech, I feel more betrayed than ever by the actions of the leadership and the majority on the Rules Committee in violating all precedent and closing the rule on this appropriations bill. This closed rule shows that the normal rules which are supposed to govern our activity are being rendered more meaningless by the day. We are on the verge of a tyranny of the majority in this House—the body that is supposed to ensure the rights of every American.

Monday, I went before the Rules Committee and presented an amendment for a simple 2-percent across-the-board cut in the legislative branch appropriations bill. The amendment met all the rules of germaneness and in no way attempted to legislate on this appropriation. In fact, a nearly identical amendment was offered by my colleague, the gentleman from Minnesota [Mr. PENNY], 2 years ago, accepted and approved by a wide margin on the floor of the House. Just yesterday, an across-the-board 1-percent cut was allowed and approved on the military construction appropriation.

How, by any reasonable reading of the rules, could anything have changed since yesterday?

The simple answer is that nothing has changed except the will of the leadership of this House. They express contempt for the full membership of this House by their closed rule on this amendment and contempt for the taxpayers of this country.

This House would have been enriched by the opportunity to consider an alternative funding level for this bill. However, that has not been allowed. I hope all Members of this House who are concerned with free and open debate and the rights of all Members should oppose this unprecedented closed rule.

□ 1300

Mr. SOLOMON. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. GOSS].

Mr. GOSS. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I strenuously oppose the rule.

A few weeks ago, the Committee on Rules took the unusual step of banning TV from their hearings, claiming that the topic was too technical for the American public to understand.

Yesterday that same committee tossed aside an amendment by a 9-to-4 party-line vote, I am told—tossed aside an amendment, supported by some 60 of our colleagues, designed to save hundreds of taxpayer dollars every year by limiting the special allowance privileges that we afford former Speakers to just 3 years. That action was indefensible, and I can well understand where the majority party did not want the manipulation that was going on being viewed by the people across this country on TV.

This House, not the 13 members of the Committee on Rules or the majority party of the Committee on Rules, is charged with the responsibility of making the budgetary decisions.

The majority party control of the Committee on Rules has overstepped its bounds, denying us the opportunity to do our job. Only 18 percent of the American public now approve of the way this Congress is going about its business.

Can you blame the vast majority who think we are failing?

The refusal by the Committee on Rules to allow reasonable money-saving amendments to reach this floor is a very clear example of a problem.

A few majority party Members have usurped most of the power and are arrogantly refusing to do what is right. The American people elected 435 of us to manage the Nation's budget. If the majority on the Rules Committee continue to bypass that mandate, then perhaps voters may bypass them.

Mr. SOLOMON. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia [Mr. GINGRICH], the distinguished whip.

Mr. GINGRICH. Mr. Speaker, I thank the gentleman, my friend from New York, for yielding me this time.

Mr. Speaker, you know, this is really a tragic vote. One week after Boris Yeltsin came to this Chamber to talk about freedom, we have a petty legislative tyranny which, first of all, proposes a rule in which 6 of the 11 amendments in order are, in fact, subject either to a point of order or a procedural defeat and cannot be offered, and then there are 14 amendments that would cut, that are not in order.

If you vote "yes" on this rule, here is what you are voting to kill: "yes" vote kills an effort to reduce committee funding by \$1.4 million; a "yes" vote kills prohibiting the free distribution of CBO publications except to public libraries, thereby saving money; a "yes" vote kills a reduction of CBO expenses and salaries by \$2,265,000; a "yes" vote kills a cut of 30 percent for salaries and expenses at the Joint Committee on Printing; a "yes" vote kills an effort to stop funding being used to buy voter registration lists with taxpayer money; a "yes" vote kills an effort to prevent the use of House money in a Speaker's contingency fund beyond the current

year; a "yes" vote kills an effort to cut the spending on former Speakers by limiting them to 3 years of taxpayer subsidies; a "yes" vote kills a 5-percent cut in funding and expenses of standing committees, special and select; a "yes" vote kills a new section which would limit budget authority of this act to \$1,670,000,000, the amount in fiscal year 1991. That is killed, that effort to limit spending would be killed, by a "yes" vote. A "yes" vote kills an effort to cut the Postmaster's budget by 50 percent. A "yes" vote kills a reduction in the official mailing allowance by \$12 million. A "yes" vote kills a reduction in funds for franked mail by \$21 million, and a "yes" vote kills a 2-percent across-the-board cut.

So do not think you can come in here and have a free procedural vote that nobody will know about, because the truth is that the Democratic leadership deliberately shaped a dictatorial rule to block 14 amendments that would cut spending.

Two weeks after telling us they were against a constitutional amendment to require a balanced budget because we need courage now, they designed a rule to block any effort to show courage now. So they do not want to cut spending in the future with a balanced budget amendment, and they do not want to cut spending in the present with 14 amendments which they made out of order.

Anyone who votes "yes" on this rule ought to expect to go back home for the rest of this year and explain why on each of these amendments you voted with a machine to protect the machine to block the cuts to ensure the perks, to keep the American people from having an up-and-down vote.

Let me say finally, to make in order amendments which are subject to a point of order is a peculiarly cynical thing.

Mr. SOLOMON. Mr. Speaker, I yield the remainder of our time to the most distinguished gentleman from Illinois [Mr. MICHEL], the Republican leader.

Mr. MICHEL. Mr. Speaker, may I first compliment the distinguished whip for the manner in which he laid out for us what the real issue is here today and the frustration, again, on our side that we do not have an open rule.

Earlier this day I dissuaded Members from opposing a unanimous-consent request for one of our distinguished committees to meet during 5-minute consideration of this bill, because we have very important business to attend to in that committee, but it would have served as leverage built on yesterday's objections to what is going on here today.

The case has to be made, as it was made yesterday under parliamentary tactics and procedures. Frankly, when you are in the box that we are put in we have no alternative but to resort to

that kind of machination from time to time.

I, obviously, rise in opposition to the rule. The Democrat majority is setting a bad precedent today by restricting amendment to an appropriation bill. It is a sad day, again, for this House, for our country, when the majority party fears amendments and, therefore, restricts the rights of a minority or any Member on the majority side to offer them. And then one wonders why the public holds the Congress in such contempt?

Where is the danger or the harm, the sting in offering cutting amendments to appropriation bills? If someone wanted to cut the funds of the minority leader, I would gladly stand here and defend my office budget. I think I could do it in good conscience and, yes, I think I could offer you some turnback of that budget.

I am just saying that when I was on the Committee on Appropriations and we brought a bill to the floor, I supported the bill as far as I could, sometimes against cutting amendments from my own party. Other times I joined in attempts to cut or even led the way.

I find it outrageous for the majority party to say in their attempts to defeat the balanced budget amendment that the House did not really need that mechanism to show its fiscal discipline, and then turn around and restrict the right of any Member to cut an appropriation bill.

We have a thing around here called a Holman rule. There is a two-step process around here. We authorize spending, and then we appropriate. If we in the Committee on Appropriations found a challenge to the Holman rule, we exercised our right in those days to say the gentleman is violating that rule; you cannot legislate on an appropriation bill. You are here to cut spending. In those good old days, in my junior years around here, either, both parties, appointed conservative Members to the Committee on Appropriations, because they had the guts to say, "We are not going to appropriate every dime authorized. We are going to shave it down in line with what you can justify the spending for."

What we are getting away from here is giving Members the free opportunity in a normal appropriation process to simply express their will, and if you make a good case, you will carry it. If you make a bad case, you get voted down.

There are some of these amendments today I can support. Some of them I might very well have to raise reservations to, they are too far. I know even the one on the GAO, which I have got all sorts of problems with, I will make the argument at the appropriate time that perhaps a 20 to 30-percent cut is too much.

But give the Members an opportunity to express their will, and let us not be

so doggone afraid even in our own administration of our own body so that we can stand up here in good conscience when the time comes and make a case for or against the kind of spending that has to take place.

I think it is outrageous. I would ask my colleagues to vote down the previous question. Let us have an open rule.

Mr. SOLOMON. Mr. Speaker, I yield back the balance of our time.

□ 1310

Mr. DERRICK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a legislative body. I think what the people of this country want as much as anything, and they have expressed it time and time again in polls that are taken throughout the country, is for us to operate in some orderly manner and accomplish our business. Of course, that is the purpose by and large, or one of the purposes, of the Rules Committee is to structure rules to allow for the representation to the House of bills, in this particular case of appropriations, so that Members will have an opportunity, maybe not to exercise every single option that they think may be necessary, but a reasonable number of options to get done with our business and then proceed on to the next matter that is before us.

The rule that is before us is a fair rule. There were 32 amendments submitted to the Rules Committee.

Now, obviously, anyone knows that we cannot consider 32 amendments on this bill. We would be here for a month trying to do it. So it is left up to the Rules Committee in its judgment to try working with the minority to shape this so that we may accomplish the business of the House. That is what the Rules Committee did.

Of these amendments, 5 were withdrawn, 2 were submitted late, so that brings us down to 25 amendments there for serious consideration. Of those, 12 were allowed under the rule.

Now, I concede that some of those are subject to points of order and that could possibly result in their not being considered.

Ten are Republican amendments and two are Democratic amendments. That does not sound to me like the majority is taking any unfair advantage of the minority.

As we consider that, we need to also consider that this bill has been worked down, down, down before it ever came to the floor of the House. It is 5.7 percent under 1992 fiscal outlays, 5.7 percent. That is a lot more than we cut the Defense budget. That is a lot more than we cut other things that I do not hear any particular complaints about.

Mr. Speaker, this is a responsible bill. The total appropriated is \$20 million below last year's appropriations. Overall outlays which have direct im-

pact on the Federal deficit will be reduced by \$104 million under last year for the agencies covered by this bill.

Moreover, the total recommended in this bill is \$295.4 million below the President's budget request, \$295.4 million below the President's request.

This bill is coming to the floor 14 percent less than what the President of the United States requested.

The bill contains a hiring freeze; a \$27 million cut in mailing costs; a \$6.2 million reduction in congressional printing costs; an \$8.2 million cut in maintenance and repairs; a \$4.5 million cut for House supplies and materials; and a \$1.2 million reduction in police costs.

There is also a freeze of the Congressional Research Service and all joint committees at last year's levels.

All of these cuts have already been made resulting in a bill that is 14 percent less than what the President of the United States asked that we pass.

This is a fair rule. I have already said that of the 12 amendments that are allowed, 10 are Republican amendments, 2 are Democratic amendments.

But in addition to that, the rule provides for a motion to recommit, and under that motion to recommit the minority can put in whatever their heart desires. They can put across-the-board cuts. They can do away with the Printing Office. They can do away with franking, whatever they want to do, and give this House an opportunity to vote on those matters.

So I suggest to you that this is a good rule. It is a fair rule and also the bill which we are going to ask you to consider is also a fair bill that cuts back.

If the amendment of the gentleman from New Hampshire [Mr. SWETT] passes which does away with the so-called slush fund business, it will be an over 6-percent cut.

Mr. Speaker, it is a fair bill, it is a fair rule, and I ask that you support it.

Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. GIBBONS). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. DERRICK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 254, nays 171, not voting 9, as follows:

[Roll No. 223]

YEAS—254

Abercrombie	Gonzalez	Owens (UT)
Ackerman	Gordon	Pallone
Alexander	Guarini	Parker
Anderson	Hall (OH)	Pastor
Andrews (ME)	Hall (TX)	Patterson
Andrews (NJ)	Hamilton	Payne (NJ)
Andrews (TX)	Harris	Payne (VA)
Annunzio	Hatcher	Pease
Anthony	Hayes (IL)	Pelosi
Applegate	Hayes (LA)	Penny
Aspin	Hertel	Perkins
AuCoin	Hoagland	Peterson (FL)
Bacchus	Hochbrueckner	Peterson (MN)
Barnard	Horn	Pickett
Bellenson	Hoyer	Pickle
Berman	Hubbard	Poshard
Bevill	Huckaby	Price
Bilbray	Hughes	Rahall
Blackwell	Hutto	Rangel
Borski	Jefferson	Ray
Boucher	Jenkins	Reed
Boxer	Johnson (SD)	Richardson
Brewster	Johnston	Roe
Brooks	Jones (NC)	Roemer
Browder	Jontz	Rose
Brown	Kanjorski	Rostenkowski
Bruce	Kaptur	Rowland
Bryant	Kennedy	Roybal
Bustamante	Kennelly	Russo
Byron	Kildee	Sabo
Campbell (CO)	Klecza	Sanders
Cardin	Kolter	Sangmeister
Carper	Kopetski	Sarpalius
Carr	Kostmayer	Sawyer
Chapman	LaFalce	Scheuer
Clay	Lancaster	Schroeder
Clement	Lantos	Serrano
Coleman (TX)	LaRocco	Sharp
Collins (IL)	Laughlin	Sikorski
Collins (MI)	Lehman (CA)	Siskis
Condit	Lehman (FL)	Skaggs
Conyers	Levin (MI)	Skelton
Cooper	Levine (CA)	Slattery
Costello	Lewis (GA)	Slaughter
Cox (IL)	Lipinski	Smith (FL)
Cloyd	Lloyd	Smith (IA)
Cramer	Long	Spratt
Darden	Lowey (NY)	Staggers
de la Garza	Luken	Stallings
DeFazio	Manton	Stark
DeLauro	Markey	Stenholm
Dellums	Martinez	Stokes
Derrick	Matsui	Studds
Dicks	Mavroules	Swett
Dingell	Mazzoli	Swift
Dixon	McCloskey	Synar
Donnelly	McCurdy	Tallon
Dooley	McDermott	Tanner
Dorgan (ND)	McHugh	Tauzin
Downey	McMillen (MD)	Taylor (MS)
Durbin	Mfume	Thomas (GA)
Dwyer	Miller (CA)	Thornton
Dymally	Mineta	Torres
Eckart	Mink	Torricelli
Edwards (CA)	Moakley	Towns
Edwards (TX)	Mollohan	Traficant
Engel	Montgomery	Traxler
English	Moody	Unsoeld
Espy	Moran	Valentine
Evans	Mrazek	Vento
Fascell	Murphy	Visclosky
Fazio	Murtha	Volkmer
Feighan	Nagle	Waters
Flake	Natcher	Waxman
Foglietta	Neal (MA)	Weiss
Ford (MI)	Neal (NC)	Wheat
Ford (TN)	Nowak	Whitten
Frank (MA)	Oakar	Williams
Frost	Oberstar	Wilson
Gaydos	Obey	Wise
Gedensson	Olin	Wolpe
Gephardt	Oliver	Wyden
Geren	Ortiz	Yates
Gibbons	Orton	Yatron
Glickman	Owens (NY)	

NAYS—171

Allard	Baker	Bennett
Allen	Ballenger	Bentley
Archer	Barrett	Bereuter
Armey	Barton	Billakis
Atkins	Bateman	Bliley

Boehert	Henry	Porter	Berman	Hoagland	Payne (NJ)	Ewing	Lewis (CA)	Ritter
Boehner	Herger	Pursell	Bevil	Hochbrueckner	Payne (VA)	Fawell	Lewis (FL)	Roberts
Broomfield	Hobson	Quillen	Billray	Horn	Pease	Fields	Lightfoot	Rogers
Bunning	Hopkins	Ramstad	Blackwell	Hoyer	Pelosi	Fish	Livingston	Rohrabacher
Burton	Horton	Ravenel	Borski	Hubbard	Penny	Franks (CT)	Lloyd	Ros-Lehtinen
Callahan	Houghton	Regula	Boucher	Huckaby	Perkins	Gallegly	Lowery (CA)	Roth
Camp	Hunter	Rhodes	Boxer	Hughes	Peterson (FL)	Gallo	Machtley	Roukema
Campbell (CA)	Hyde	Ridge	Brewster	Hutto	Pickett	Gekas	Marlenee	Santorum
Chandler	Inhofe	Riggs	Brooks	Jefferson	Pickle	Gillmor	Martin	Saxton
Clinger	Ireland	Rinaldo	Browder	Jenkins	Price	Gilman	McCandless	Schaefer
Coble	Jacobs	Ritter	Brown	Johnson (SD)	Rahall	Gingrich	McCollum	Schiff
Coleman (MO)	James	Roberts	Bryant	Johnston	Rangel	Goodling	McCrery	Schulze
Combest	Johnson (CT)	Rogers	Bustamante	Jones (NC)	Ray	Goss	McDade	Sensenbrenner
Coughlin	Johnson (TX)	Rohrabacher	Byron	Jontz	Reed	Gradison	McGrath	Sharp
Cox (CA)	Kasich	Ros-Lehtinen	Cardin	Kanjorski	Richardson	Grandy	McMillan (NC)	Shaw
Crane	Kluge	Roth	Carr	Kaptur	Roe	Green	Meyers	Shays
Cunningham	Kolbe	Roukema	Chapman	Kennedy	Roemer	Gunderson	Michel	Shuster
Dannemeyer	Kyl	Santorum	Clay	Kennelly	Rose	Hammerschmidt	Miller (OH)	Skeen
Davis	Lagomarsino	Saxton	Clement	Kildee	Rostenkowski	Hancock	Miller (WA)	Smith (NJ)
DeLay	Leach	Schaefer	Coleman (TX)	Kleczka	Rowland	Hansen	Molinar	Smith (OR)
Dickinson	Lent	Schiff	Collins (IL)	Kolter	Roybal	Hastert	Moorhead	Smith (TX)
Doolittle	Lewis (CA)	Schulze	Collins (MI)	Kopetski	Russo	Hefley	Morella	Snowe
Dornan (CA)	Lewis (FL)	Sensenbrenner	Condit	Kostmayer	Sabo	Henry	Morrison	Solomon
Dreier	Lightfoot	Shaw	Conyers	LaFalce	Sanders	Herger	Myers	Spence
Duncan	Livingston	Shays	Cooper	Lancaster	Sangmeister	Hobson	Nichols	Stearns
Early	Lowery (CA)	Shuster	Cox (IL)	Lantos	Sarpalius	Holloway	Nussle	Stump
Edwards (OK)	Machtley	Skeen	Coyne	LaRocco	Sawyer	Hopkins	Oxley	Sundquist
Emerson	Marlenee	Smith (NJ)	Cramer	Laughlin	Scheuer	Horton	Packard	Taylor (NC)
Erdreich	Martin	Smith (OR)	Darden	Lehman (CA)	Schroeder	Houghton	Panetta	Thomas (CA)
Ewing	McCandless	Smith (TX)	de la Garza	Lehman (FL)	Serrano	Hunter	Patterson	Thomas (WY)
Fawell	McCollum	Snowe	DeFazio	Levin (MI)	Sikorski	Hyde	Paxon	Upton
Fields	McDade	Solomon	DeLauro	Levine (CA)	Sisisky	Inhofe	Peterson (MN)	Vander Jagt
Fish	McEwen	Spence	Dellums	Lewis (GA)	Skaags	Ireland	Petri	Vucanovich
Franks (CT)	McGrath	Stearns	Derrick	Lipinski	Skelton	Jacobs	Porter	Walsh
Gallegly	McMillan (NC)	Stump	Dicks	Long	Slattery	James	Poshard	Weber
Gallo	Meyers	Sundquist	Dingell	Lowey (NY)	Slaughter	Johnson (CT)	Pursell	Weldon
Gekas	Michel	Taylor (NC)	Dixon	Luken	Smith (FL)	Johnson (TX)	Quillen	Williams
Gilchrest	Miller (OH)	Thomas (CA)	Donnelly	Manton	Smith (IA)	Kasich	Ramstad	Wolf
Gillmor	Miller (WA)	Thomas (WY)	Doolley	Markey	Solarz	Klug	Ravenel	Wylie
Gilman	Molinar	Upton	Dorgan (ND)	Martinez	Spratt	Kolbe	Regula	Young (AK)
Gingrich	Moorhead	Vander Jagt	Downey	Matsui	Staggers	Kyl	Rhodes	Young (FL)
Goodling	Morella	Vucanovich	Durbin	Mavroules	Stallings	Lagomarsino	Ridge	Zeliff
Goss	Morrison	Walker	Dwyer	Mazzoli	Stenholm	Leach	Riggs	Zimmer
Gradison	Myers	Walsh	Dymally	McCloskey	Studds	Lent	Rinaldo	
Grandy	Nichols	Weber	Eckart	McCurdy	Swift			
Green	Nussle	Weldon	Edwards (CA)	McDermott	McHugh			
Gunderson	Oxley	Wolf	Edwards (TX)	McMillen (MD)	Mfume			
Hammerschmidt	Packard	Young (AK)	Engel	Miller (CA)	Mineta			
Hancock	Panetta	Young (FL)	English	Miller (CA)	Mink			
Hansen	Paxon	Zeliff	Espy	Miller (CA)	Moakley			
Hastert	Petri	Zimmer	Evans	Miller (CA)	Mollohan			
Hefley			Fascell	Moakley	Montgomery			
			Fazio	Moakley	Moody			
			Feighan	Moakley	Moran			
			Flake	Moakley	Mrazek			
			Foglietta	Moakley	Murphy			
			Ford (MI)	Moakley	Murtha			
			Ford (TN)	Moakley	Nagle			
			Frank (MA)	Moakley	Natcher			
			Frost	Moakley	Neal (MA)			
			Gaydos	Moakley	Neal (NC)			
			Gejdenson	Moakley	Nowak			
			Gephardt	Moakley	Oakar			
			Geren	Moakley	Oberstar			
			Gibbons	Moakley	Obey			
			Glickman	Moakley	Olin			
			Gonzalez	Moakley	Oliver			
			Gordon	Moakley	Ortiz			
			Guarini	Moakley	Orton			
			Hall (OH)	Moakley	Owens (NY)			
			Hall (TX)	Moakley	Owens (UT)			
			Hamilton	Moakley	Pallone			
			Harris	Moakley	Parker			
			Hatcher	Moakley	Pastor			
			Hayes (IL)	Moakley				
			Hayes (LA)	Moakley				
			Hertel	Moakley				

NOT VOTING—9

Bonior
Hefner
Holloway

□ 1335

Mr. HORTON and Mr. DICKINSON changed their vote from "yea" to "nay."

Mr. CAMPBELL of Colorado changed his vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. GIBBONS). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. DERRICK. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 244, noes 179, not voting 11, as follows:

[Roll No. 224]

AYES—244

Abercrombie	Andrews (NJ)	Aspin
Ackerman	Andrews (TX)	AuCoin
Alexander	Annuizio	Bacchus
Anderson	Anthony	Barnard
Andrews (ME)	Applegate	Beilenson

Allard	Boehner	Coughlin
Allen	Broomfield	Cox (CA)
Archer	Bruce	Crane
Armey	Bunning	Cunningham
Atkins	Burton	Dannemeyer
Baker	Callahan	Davis
Ballenger	Camp	DeLay
Barrett	Campbell (CA)	Dickinson
Barton	Campbell (CO)	Doolittle
Bateman	Carper	Dornan (CA)
Bennett	Chandler	Dreier
Bentley	Clinger	Duncan
Bereuter	Coble	Early
Bilirakis	Coleman (MO)	Edwards (OK)
Bliley	Combest	Emerson
Boehert	Costello	Erdreich

NOES—179

Bonior	McEwen	Stark
Gilchrest	McNulty	Traxler
Hefner	Savage	Walker
Jones (GA)	Schumer	

NOT VOTING—11

Bonior	McEwen	Stark
Gilchrest	McNulty	Traxler
Hefner	Savage	Walker
Jones (GA)	Schumer	

□ 1352

Mr. HORTON changed his vote from "aye" to "no."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FAZIO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 5427, and that I may include tabular and extraneous material and charts.

The SPEAKER pro tempore (Mr. GIBBONS). Is there objection to the request of the gentleman from California?

There was no objection.

LEGISLATIVE BRANCH
APPROPRIATIONS ACT, 1993

The SPEAKER pro tempore (Mr. GIBBONS). Pursuant to House Resolution 499 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5427.

□ 1353

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5427) making appropriations for the legislative branch for the fiscal year ending September 30, 1993, and for other purposes, with Mr. DONNELLY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

The gentleman from California [Mr. FAZIO] will be recognized for 30 minutes and the gentleman from California [Mr. LEWIS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is a pleasure to present H.R. 5427, the legislative branch appropriations bill for fiscal year 1993 to the House of Representatives. It is a pleasure in the sense that there is a certain amount of satisfaction in producing legislation that we think all the Members of the House can be proud of and support. It is also a fact that today we take up what some Members, I think the gentleman from California [Mr. LEWIS], my ranking Republican friend, has referred to as a process of self-flagellation.

There will be an awful lot of purple prose and partisan rhetoric, but when all is looked at in greater clarity, I think the House can be proud of the product it takes up today to vote on.

There is not going to be a carnival of amendments because of the rule. A number of them will not be in order, but there will be a number that, I think, are important and need to be debated and determined up or down.

I do not intend to go into every detail of the bill today. The report and the bill have been available for several days. I know that many Members and staff have gone over it very thoroughly.

But before we begin I do want to thank very heartily each member of the Subcommittee on Legislative.

First of all, the gentleman from California [Mr. LEWIS], my good friend, the ranking member who has worked very closely with us, perhaps more closely than ever before and yet obviously is not, as a representative and a stalwart member of the minority, completely satisfied with our product. But he is diligent. He is a friend, beyond everything else, and I want to thank him for his willingness to continue in this thankless task that he shares with me. There is nothing in this subcommittee's work that helps any Member at home in their district. So I want to say to my friends, the gentleman from Florida [Mr. SMITH], who has served with us for one term and is leaving,

and the gentleman from Michigan [Mr. TRAXLER], my good friend who is leaving, and the gentleman from Florida [Mr. LEHMAN], who has also served just one term with this subcommittee and is leaving, how much I appreciate their interest and willingness to serve with us.

I want to thank the gentleman from Wisconsin [Mr. OBEY], who is, as we all know, one of those few Members who really puts it on the line for the Legislative Branch year in and year out, and the gentleman from Pennsylvania [Mr. MURTHA], who is also a stalwart friend of all on this committee, as well as the gentleman from Illinois [Mr. PORTER] and the gentlewoman from Nevada [Mrs. VUCANOVICH].

The gentleman from Illinois [Mr. PORTER] is one who is always helping us and does in many ways. And the gentlewoman from Nevada [Mrs. VUCANOVICH], who is a stalwart and regular attendee, gives us a voice we need to hear.

And obviously, the gentleman from Mississippi [Mr. WHITTEN] and the gentleman from Pennsylvania [Mr. MCDADE] as well, ex officio members of the subcommittee. We always work very closely with the Committee on House Administration, and I want to express my appreciation to the members and leadership of the committee, primarily the chairman, the gentleman from North Carolina [Mr. ROSE], the gentleman from California [Mr. THOMAS], and particularly the ranking minority member of that committee, the gentleman from California [Mr. THOMAS], who has cooperated with us on several issues today; the gentlewoman from Ohio [Ms. OAKAR] and the gentleman from Kansas [Mr. ROBERTS], both the chair and ranking member of the Subcommittee on Personnel and Police. As well should be mentioned the gentleman from Missouri [Mr. CLAY] and the gentleman from Nebraska [Mr. BARRETT], chairman and ranking member of the Subcommittee on Libraries and Memorials; and also our dear friend and former chairman, the gentleman from Illinois [Mr. ANNUNZIO] and the ranking member, the gentleman from Oklahoma [Mr. EDWARDS] on the Subcommittee on Procurement and Printing.

I think everyone here understands that despite the controversy that surrounds this bill, and it has always struck me that we can spend just a few minutes on the Defense Appropriations bill and yet hours and hours on the legislative branch bill, we are really and truly just a small part of the total budget picture. But we are one-third of the Federal system under the Constitution.

We enact laws, and we conduct oversight over the application of laws, while the executive, of course, spends the money and executes the programs, and the judiciary interprets and upholds the laws of the land.

Our spending is only about 15/100 of 1 percent of the entire Federal budget, and yet our activities are very significant and include not only the House and the Senate but significant support agencies such as the Architect of the Capitol, the Congressional Budget Office, the Office of Technology Assessment, and the Congressional Research Service.

There is also the agency that ferrets out waste, fraud and abuse and conducts financial audits of government programs, the GAO, the General Accounting Office, which will come under a proposed cut this afternoon, which I hope will be defeated.

We also have the Government Printing Office, the Library of Congress, of course, which serves by far the public much greater than the Congress itself, and the Copyright Royalty Tribunal. There are several smaller programs within our bill that we must mention: the very important Copyright Office, which is significant for many creative interests in our country; the Books for the Blind and Physically Handicapped Program; and the very important program, the Depository Library Program.

Members do not realize that we have local libraries in the Library of Congress budget more than the total budget for the Library itself.

□ 1400

That is an important point to make. Every year we fail to make it, and I am glad this year it has been cited.

Our bill, the bill we bring today, is \$1.8 billion in budget authority for fiscal year 1993. That is a reduction of \$19.9 million under the budget authority enacted and available in fiscal year 1992—a 1.1-percent reduction under a hard freeze.

These figures do not include Senate items which will, of course, be added when the bill goes over to the other body.

The budget request was \$2.1 billion. It has been reduced by \$300 million. That is a 14-percent reduction under the detailed requests submitted in the President's budget, submitted, of course, by the legislative branch agencies to the executive and passed through to us.

The key component in our overall effort to control deficits, in this case, as in all other appropriations bills, is outlays, actual payments and expenditures. When we appropriate, we only enact spending or budget authority. That is authority to obligate Federal payments for the expenditure of Government funds. So we also score our appropriation bills to measure what the actual expenditures or outlays will be as a result of the spending authority in the bill.

This \$1.8 billion in spending authority is estimated to spend out \$1.5 billion in actual dollar outlays in fiscal year 1993. That \$1.5 billion is over \$90

million less than the comparable dollar outlay enacted in last year's spending bill, and that is a very significant and important 5.6-percent reduction.

When total outlays are added up, this bill and the entire legislative branch of government will spend \$1.7 billion (\$1,718,447,000) in fiscal year 1993.

That is \$104 million (\$103,904,000) less than the current year—a reduction of 5.7-percent under 1992 spending for legislative agencies of the Federal Government.

I also want to indicate that under the Budget Act, our 602(b) allocation to the subcommittee was to be \$2.343 billion. We are \$534 million under that target, and once the Senate funds are added, we will be \$20 million below that 602(b) target for budget authority.

We did a similar analysis on our outlay target. Our calculation is that the bill is about \$92 million under the 602(b) outlay ceiling. If we can hold that level in conference with the other body, that will be a further contribution to deficit reduction. It goes beyond the budget summit agreement.

I would like to, at this point, present some graphic illustrations of legislative branch resources.

CHARTS 1 AND 2

Charts 1 and 2 compare legislative spending to the executive branch over the past 15 years, in constant dollars.

[Charts not reproducible in the RECORD.]

Chart 1 shows executive spending up from \$1.1 trillion to \$1.5 trillion.

Legislative spending down from \$2.4 billion to \$2.3 billion.

House spending up from \$0.6 billion to \$0.7 billion.

Chart 2 clearly shows the trends.

Executive spending trending upward at about 2.3 percent per year in real increases.

Legislative and House spending are virtually flat lines—no growth.

Chart 3 is a bar graph.

It shows the general government function—the administrative costs of operating the executive branch—growing at an annual rate of 7.6 percent in actual dollars.

Legislative spending is growing at 5.4 percent.

The CPI-urban index is up 5.5 percent per year.

Executive administrative costs have been growing almost 40 percent faster than CPI during this period of time.

Legislative costs are falling below the cost necessary just to maintain our current service level.

Chart 4 tells the story of chart 3 in recent times.

Since 1991, the legislative budget has grown by a total of 4.8 percent.

During that same time period, and based on the fiscal year 1993 requests included in the President's budget:

OMB will have grown by 12.7 percent.

The White House policy operation will have grown by 14.3 percent.

The average Cabinet department's administration will have grown by 18.4 percent.

And the Federal judiciary will have grown by 34 percent.

Chart 5 reflects employment statistics which reach pretty much the same conclusion:

The gap between Executive branch and Legislative employment is widening.

This trend began in the early to mid-80's and is continuing.

House staff has remained about the same during that period.

While we are on this subject, charts 6 and 7 show some interesting things about the mix of House staff since my first year as Chairman of this Subcommittee.

The three staff components, Members staff, committee staff, and other staff which is primarily our administrative support (office supply doorkeepers, floor staff, and so forth) have remained about the same.

There is a slight increase in Member's staff—but very minimal.

Chart 8 is a reflection of what we all know. It is a pie chart of all the ingredients of the legislative appropriations bill.

It tells us that 67 percent of our budget is for personnel.

Computers, telecommunications, electronic printing and the like account for 23 percent.

All other is 10 percent.

In other words, the entire legislative branch budget is primarily the salaries of the staff and the objects they need to do their jobs—telephone, personal computers, a desk, a chair and so forth.

Chart 9 shows how much our budgets depend upon having enough to pay staff an adequate salary.

The average Federal employee who earned \$34,000 at the start of this year will be budgeted in fiscal 1992 at \$42,948 to include the January 1992 COLA increase, a modest merit or longevity increase, and retirement benefits.

That "average" employee will be earning \$36,172 at the end of this year after the COLA and merit increase.

That average employee will probably be eligible for next January's 3.7 percent COLA and another merit or longevity increase during the year.

That means the 1993 appropriation would have to be \$45,392 to pay total compensation.

That's 5.69 percent over the amounts appropriated this year.

But we have applied a hard freeze—and then some—to our overall budget.

This normal salary progression for our employees, which is the situation throughout the government, has been totally ignored by the hard freeze proponents.

CHART 10—MAIL

Finally, we have some good news—a chart which shows how reform saves us money.

We reformed the use of congressional mail in 1991—the Fazio/Frenzel franking amendments.

These reforms have resulted in dramatic savings—over \$100 million in just three years—as shown in this chart.

The red lines since 1990 are what mail costs would have been under the old rules—based on CRS and Postal Service projections.

The blue lines since 1990 show that actual costs have been or are currently being estimated.

The savings is \$101 million.

That's savings we have either rescinded or did not have to appropriate. As I have pointed out, the bill contains \$19.9 million less than the current fiscal year 1992 appropriation. That decrease under the current level can be explained by its four components:

An addition \$39 million is required for the current payroll of about 28,700 employees and the January 1993 COLA. Vacant positions were not funded, and we were not able to fund longevity or merit increases, or any promotions. To the extent those items cannot be cut back, they will be absorbed by the agencies.

We have to provide an additional \$2.3 million for unavoidable price level increases, such as already negotiated building rentals. Over \$1.3 million of the \$2.3 million is for electrical and other utility bills which are based on public utility rates.

□ 1410

A net reduction of \$53.9 million is necessary for workload items. Reduction required because of our 602(b) budget target and the requirement to pay our 1993 COLA and utility costs.

Some workload items were increases, others decreases. Overall there is a net decrease of \$53.9 million.

There were some essential increases:

Library of Congress arrears—age project	\$3,200,000
Reading machines for blind and handicapped	960,000
LOC secondary storage facility	3,200,000
Depository libraries	2,000,000

The decreases required to meet target:

	Millions
Mail (net decrease under 1992 bill)	\$27
Police overtime and salaries	1.2
Position and base reductions	24
Congressional printing	6.2
House supplies and materials	4.5

Finally, there is a net reduction of \$8.2 million in equipment, alterations, maintenance, and repairs. As in workload items, a reduction is required to meet the budget target and the obligation to pay our 1993 employee COLA and utility costs.

There are a few repair, renovation, and equipment items that cannot be deferred. In the Architect's budget alone, we denied over \$33 million in projects. But a few things have to be done:

St. Cecilia's day care center	\$180,000
Elevator and escalator repair	1,000,000
Capitol dome drainage improvement	500,000
Plumbing and roof repair in the Capitol	1,100,000
Sidewalk and road repairs	425,000
Asbestos removal and renovation at GAO building (continuing project)	2,000,000

We have allowed \$704.6 million for the operations of the House. This will cover the current payroll plus the January 1993 COLA. Since we are reducing the overall appropriation for the House by \$9 million, the COLA increase will be absorbed by reductions in other expenses such as equipment, mail, printing, and computer costs.

The bill allows \$79.5 million for joint items, including the Capitol Police, the joint committees of House and Senate, the guide service, and the attending physician. All the joint committees were frozen; we have cut back on police costs by \$1.2 million.

There is \$114.3 million for the Architect of the Capitol. That's a reduction of \$10.3 million below 1992. In addition to the one-time projects that we were able to eliminate because they were funded last year, we had to reduce cyclical maintenance by \$16.4 million.

I want to point out that Palm House at the Botanic Garden—the glass enclosed central portion of the building—had to come down because it has been found to be structurally unsafe. We don't have the funds for the reconstruction, although we have provided authority for private donations. In this bill, we are authorizing up to \$500,000 from other project savings to do part of the design work for the conservatory renovation; \$56.6 million is allowed for the Congressional Research Service, a freeze of last year's appropriation.

For the Library of Congress—non-CRS part—\$249.5 million is allowed and authority to spend another \$24.2 million in receipts. We allowed the \$3.2 million requested for the arrearage project, \$3.2 million for a facility to begin storing an overflow of the general and special collections, and sufficient funds for the talking books for the blind and physically handicapped. We have also released sufficient funds to continue research and development of book deacidification chemistry.

We have frozen the Government Printing Office at \$118.7 million, last year's level. We have reduced last year's congressional printing reimbursement by \$2 million in order to allocate more to the depository library program for the distribution of Government documents. As far as we are concerned, that is mostly a subsidy to the executive branch whose agencies should be paying for the cost of distributing their publications to our Nation's libraries.

For the General Accounting Office there is \$442 million, plus \$1.2 million

in building rental collections are allowed. That's a \$5.5 million reduction overall at GAO, and will force a hiring freeze—perhaps some reductions in force. All this while we see executive branch inspectors general budget requests up by anywhere from 4 to 25 percent.

Of the 255 new permanent positions requested, we allowed three which are paid for by copyright licensing receipts.

We have calculated that the restrictive funding in this bill will cause a reduction of 2,345 positions under the number now authorized.

Most agencies have already instituted a hiring freeze.

There are several provisions in the bill, most of which have been contained in previous bills. These provisions are mostly housekeeping in nature, and facilitate the operations of the House and our support agencies. We have added some additional franking reforms. One will repeal the outmoded two-page limitation on newsletters. Another will rescind the authority to send mass mailings outside our congressional districts.

To summarize, since 1978; the Consumer Price Index has increased 5.5 percent per year, on average; the legislative bill is up 5.4 percent per year. That is a decline in real terms. On the other hand, the executive branch budget is up 7.5 percent per year, that is a 41-percent higher rate of growth than the legislative budget.

Since 1981 when I became chairman of the Legislative Subcommittee; the legislative bill has gone up 5.7 percent per year. While the General Government functions, the administrative costs of running the executive branch, has grown 7 percent per year.

This is easily the most fiscally stringent legislative appropriations bill presented to the House in memory—maybe even in history.

It is necessary for us to set the example—show the way to fiscal balance.

I think every Member of the House has good reason to vote "aye" on final passage.

Mr. Chairman, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, initially I presumed I would be rising to suggest that this was a very tight budget, but after watching that introduction by my chairman, I wonder if we should not be a little tighter on my bill relative to the account that we apply to charts.

Having said that, ladies and gentlemen of the House, this is as we all know a very, very difficult year for those of us considering appropriation bills, that in no small part because the country is focusing in a very special way upon the amount of taxpayer dollars that we choose to expend here, and

that in no small part is a reflection of the reality that our economy is in difficult straits and people clearly recognize that if we are going to turn around our economy, impact in a positive way the job market out there, we must begin in a serious fashion to do more than just talk about the national deficit.

The deficit this year alone is anticipated to be somewhere in the neighborhood of \$400 billion. It is very clear to all of us that we must take a serious look at every appropriation bill in order to make certain that we are making our contribution through that process to reducing this ever-growing national debt.

This bill is a relatively small bill compared to the other 12 in the appropriations process. It represents something less than \$2 billion, but it is that appropriation bill whereby we fund the activities of the House of Representatives and related agencies.

A tough bill in a tough year. Mr. Chairman suggested that it had been a great pleasure for he and I to work together over the years. Indeed, we have enjoyed our own relationship working on this committee. On the other hand, being a considerable privilege carrying the bill is another thing entirely, for the Members do focus on the legislative branch in a very special way, and they understand these appropriations as well as any of the bills that come before us. Because of that, some very careful attention is paid to the details of this bill. We find ourselves often with amendments to cut specifics after the committee has done its work.

This year I believe we see the culmination of a series of years efforts to develop a pattern of reducing spending within the legislative branch. It is important that the public know that this is more than just money to finance our staff. Within this bill we fund the Botanical Gardens and the Library of Congress. For example, the Library of Congress is appropriated \$248 million, and probably somewhere in the neighborhood of 70 percent of that money has little to do directly with the Congress, but rather is of service to the public in general. We fund the General Accounting Office and the Government Printing Office, among other things.

The bill we have before Members, as I suggested, is a reflection of a pattern and effort to cut back spending over a period of years. Between 1988 and this appropriation year, the expenses available for expenditures available for mail, for example, on the part of Members will have been reduced by a full 50 percent. There has been a significant effort made by us to reduce the volume of mail and the dollars available for that mailing which is unsolicited mail to our constituents throughout the country.

The official expenses of the Members have been cut by almost 5 percent, a

consistent effort to reduce the tendency to grow in all of our Government agencies, including this one, the legislative branch.

So I am very pleased to bring to the membership today a bill that we consider to be a very tight bill. It is some 5.6 or 5.7 percent below actual outlays of the current year. Indeed, it will reflect some \$90 million of savings.

I might say to the Members, and I might also share with any of our staff members who might be watching by way of C-SPAN or otherwise, that this bill very much reflects a problem that we had not very long ago, just a few weeks ago, within the Legislative Branch Subcommittee where we reprogrammed some money, some \$8 million of money, from one account to another. We did so because otherwise between now and the end of the fiscal year individual Members would have had to lay off employees because of a lack of availability of funds within that staff account. Members would have had to literally layoff one to as many as four members in some cases of their staffs because funding was so tight within that legislation.

So this is a tight bill, and I think all of the Members as well as their staffs should focus upon the reality that as this bill goes forward, next year should we have that sort of difficulty we may not be able to solve the problem by way of reprogramming.

Let me suggest that there is another item within the bill that Members should pay careful attention to. Some 3 years ago there was language put into the legislative branch bill that would allow moneys that were unexpended to remain until expended. Some Members suggested that a slush fund that might be made available for the exercise of some of the leadership within the House to carry forth their will. Regardless of how one would define its potential use, this bill provides language that eliminates the potential for that kind of long-term accumulation. The bill will allow moneys that are a part of the authorization for the current year that is involved to be held in account for 3 years, until all bills are paid, but not in an unending accumulation of capital within this legislative branch bill.

□ 1420

Mr. Chairman and Members, this is a very tight bill. I urge the Members to consider it seriously, and at the end of the day, I hope that we will have their support.

Mr. Chairman, I reserve the balance of my time.

Mr. FAZIO. Mr. Chairman, I yield 4 minutes to the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Chairman, I would like to engage in a colloquy with the distinguished gentleman from California, the chairman of the Committee on

Legislative Branch Appropriations and the distinguished gentleman from Virginia.

Mr. Chairman, it has come to my attention that the Library of Congress is about to accept a grant of \$500,000 a year for 3 years from the Japan Foundation's Center for Global Partnership which is funded by the Government of Japan through the Japanese Diet. The purpose of the grant is to expand the Library's collection of difficult to obtain information concerning recent developments in Japan, to establish a Library collecting facility in Tokyo, and to establish a Japan documentation center in the Library of Congress. This idea of the Library of Congress accepting major money donations from foreign governments is of recent vintage. In fact this gift was preceded in 1991 when the Library of Congress accepted \$1 million from the Government of Korea.

Though I do not disagree that the Library should augment its Japan collection, I object strenuously to the Library's apparent new policy of accepting major funding that comes directly from a foreign government, or any instrumentality of that foreign government. These gifts could be used as a means of influencing the type of information that is made available to the American public or to pressure the Library to avoid presenting any negative information on the country making the donation. Nor do I agree with the recent policy of the Library to depend for a growing share of its activities on sources of foreign funding to build collections and exhibitions. There must be a clear policy that this Library is owned and paid for by the citizens of the United States.

Mr. WOLF. Mr. Chairman, will the gentlewoman yield?

Ms. KAPTUR. I am happy to yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I agree with Ms. KAPTUR. The Library and its collections belong to the people of the United States and the procedure of allowing the Library of Congress to accept private gifts of this type, from foreign sources, could compromise the integrity and objectivity of the collections process.

Ms. KAPTUR. I, therefore, request that at a minimum, the American public have a mechanism in place so that the Congress can monitor these foreign gifts to the Library. Thus I request that the Librarian of Congress, not later than December 31 of each year, shall submit to the Congress, with respect to the preceding fiscal year, a report of all foreign gifts on funds accepted by the Library, together with a statement of all conditions placed on such gifts.

Further, the Librarian of Congress, not later than 60 days following enactment of this bill and not later than December 31 of each year, shall submit to

the Congress, with respect to the preceding fiscal year, a report of the annual increase in donations by country from which the gifts are accepted, spanning a 10-year time period beginning in 1982, to show the trend in foreign gift giving.

Mr. FAZIO. Mr. Chairman, will the gentlewoman yield?

Ms. KAPTUR. I am happy to yield to the gentleman from California.

Mr. FAZIO. I recognize the increase in foreign gifts to the Library of Congress by foreign governments and other sources and agree that it would be good to have a mechanism in place to monitor foreign gifts received by the Library of Congress. I agree that this should be reported by the Librarian to the Congress. I will attempt to include this matter in the conference agreement with the Senate. In the meantime, I would like to submit for the record a letter from the Librarian of Congress of June 20, 1992, agreeing to provide a report annually on funds from foreign sources received by the Library of Congress.

THE LIBRARIAN OF CONGRESS,
Washington, DC, June 20, 1992.

Hon. VIC FAZIO,
Chairman, Subcommittee on Legislative Branch,
Committee on Appropriations, U.S. House of
Representatives, Washington, DC.

DEAR MR. CHAIRMAN: In light of concerns raised over the Library's acceptance of gifts from foreign governments and foreign-owned entities, I want to assure you that I am willing to report on an annual basis to the Congress on the purpose, amounts and use of gifts from foreign governments and foreign corporations.

Under 2 U.S.C. Sec. 160, I am authorized to accept gifts in the interest of the Library, its collections, or its services. Under 2 U.S.C. Sec. 156, I am already required to obtain formal approval of the Joint Committee on the Library as well as the Library's Trust Fund Board for gifts to the trust fund, and must report annually on gifts received.

If there are additional concerns and would like to discuss the matter, please contact me at your earliest convenience.

Sincerely,

JAMES H. BILLINGTON,
The Librarian of Congress.

Ms. KAPTUR. Mr. Chairman, I thank the Chairman very much for his assistance.

Mr. LEWIS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GOODLING] for purposes of engaging in a colloquy with the chairman of the subcommittee.

Mr. GOODLING. Mr. Chairman, as you are aware, the Library of Congress has notified the National Park Service that the loan agreement for the Library's drafts of Lincoln's Gettysburg Address will be terminated. As you know, the two drafts in the custody of the Library of Congress have been loaned to the Gettysburg National Military Park for exhibit since 1979. The Gettysburg National Military Park has met every protective requirement specified by the Library of Con-

gress which has also praised the high standards and innovative techniques used to display this important document. Many of us believe Gettysburg is the most appropriate location for the display of these historic documents and do not believe the loan arrangement should be terminated.

As the chairman knows, this issue is currently being addressed by the Joint Committee on the Library which has jurisdiction over such matters. I am confident that the joint committee will be able to resolve this situation, but it was not able to arrive at a resolution before this bill was approved for floor consideration today.

It is my understanding the chairman and the committee are also committed to securing an equitable resolution to this issue consistent with past congressional action, which served to allow millions of Americans who visit Gettysburg the opportunity to view this historic and inspirational document. Is it correct that the committee will address this issue during the future conference committee with the Senate?

Mr. FAZIO. Mr. Chairman, will the gentleman yield?

Mr. GOODLING. I am happy to yield to the gentleman from California.

Mr. FAZIO. The gentleman from Pennsylvania is correct. The committee has been informed that the Joint Committee on the Library has been asked to review this matter. If the joint committee agrees that an accommodation should be reached which continues to allow the public to view them at Gettysburg we will try to accommodate the needs of the gentleman and the Joint Committee on the Library when the bill is considered in conference.

Mr. GOODLING. I thank the gentleman for his assurance.

Mr. FAZIO. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. KENNEDY] for a colloquy.

Mr. KENNEDY. Mr. Chairman, first of all, let me thank and commend the chairman of the committee for work that he has done on behalf of all of the citizens of our country with regard to energy conservation.

Mr. Chairman, as you know, I was in the energy business in Massachusetts before I came to Congress. One of the many businesses I started was an energy conservation company.

In my view, there is no reason why our Capitol can't be a model of energy efficient. There are a number of demand-side management measures which could be implemented to make our Capitol more energy efficient and save the taxpayers millions of dollars in energy costs over the next decade.

The Architect of the Capitol, for example, could work with energy service companies, which would in turn work with Pepco, to implement conservation projects here at the Capitol. In addition

to saving energy, these companies could implement shared-savings contracts and receive rebates directly from Pepco. These savings could be used to reduce the capital costs of conservation improvements—and the need for direct appropriations—by anywhere from 30 to 50 percent.

A preliminary survey of the potential for savings indicates a capital investment of \$7 million could yield annual savings of up to \$3 million.

I ask the gentleman from California (Mr. FAZIO), does he agree that the Architect of the Capitol should be directed to request Pepco to develop an energy management proposal for the Capitol?

□1430

Mr. FAZIO. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY. Certainly, I yield to the gentleman from California.

Mr. FAZIO. Mr. Chairman, the gentleman from Massachusetts is absolutely correct that substantial savings can be achieved through the type of cost-shared investments in conservation improvements he has outlined. The gentleman from Massachusetts has for years urged, and the committee had directed, the Architect to develop plans for conservation improvements throughout the Capitol complex, and I agree with the suggestion of the gentleman that the Architect of the Capitol should be directed to ask Pepco to develop an energy management proposal to identify cost-effective energy conservation improvements for those buildings subject to his jurisdiction.

The gentleman from Illinois [Mr. PORTER] and members of the subcommittee have been working long and hard on this for years, but the opportunity to get upfront capital to finance this project totally from nonappropriated funds, does make it important that the Architect of the Capitol work on this issue diligently during this fiscal year.

I appreciate the gentleman bringing it to our attention.

Mr. KENNEDY. Mr. Chairman, I thank the gentleman.

Mr. LEWIS of California. Mr. Chairman, I yield 4 minutes to the gentleman from Illinois [Mr. PORTER].

Mr. PORTER. Mr. Chairman, I commend my chairman, the gentleman from California, my ranking member, the gentleman from California also and members of the subcommittee and the staff for the efficient work and generally good bill that has been produced.

Mr. Chairman, I want to join my colleagues on this side of the aisle in condemning the rule that prevents Members from offering certain amendments. At times the majority acts unreasonably and unconscionably to restrict the debate and the possibility of reform, and Mr. Chairman, this is clearly one of those times.

Mr. Chairman, turning to the specifics of this bill, I would like to point out that when we talk congressional reform, we must look not only at ferreting out wasteful practices, but that reform includes promoting new, innovative and positive developments. In this regard, I am particularly proud of several of the commitments made in this legislation.

I am pleased that the Architect of the Capitol, the Government Printing Office, and the Joint Committee on Printing have all addressed the concerns of the subcommittee by joining in recognizing the importance that we place on meeting environmental responsibilities.

The Architect's recycling program is now being fully implemented and will soon be operational in all offices. Also, by direction of this subcommittee, the Architect will begin the installation of energy efficient lighting for the garages and exit lights. We can save as much as 35 percent of the energy costs that we currently incur as a result of this innovation.

I commend my chairman for his strong support of these initiatives.

These two initiatives are important too, because they force us to appreciate the demands that present and new environmental legislation place on municipalities and private companies. We will learn firsthand what it means to participate and be part of the solution, rather than watching from the sidelines. No reform of this body is more important than to force us to follow the same rules we make for others.

This is what the Congressional Accountability Act, which I have cosponsored, is all about.

Another area where the subcommittee has broken new ground is in working with the Government Printing Office to ensure that the Government is purchasing, to the greatest degree possible, recycled paper with a post-consumer waste content. Mr. Speaker, the chairman of the Joint Committee on Printing has been very helpful in coordinating our efforts to increase the GPO's use of such paper and deserves the commendation of the Members of this body for his leadership. In this regard I note particularly the Joint Committee's collaboration with the Government Printing Office to test the use of postconsumer waste recycled paper for IRS documents. All Members should be proud of these accomplishments as we continue to push the edge of the envelope with respect to our duty to more efficiently and sustainably utilize our resources, both physical and financial.

Mr. Speaker, a number of amendments did survive the rule and will be offered to this legislation today. I will support some, and I will oppose others. As a member of the minority it is an understatement to say that I am not entirely pleased with the way this body

is run. I do not think that the legislative appropriations bill is the most appropriate place to offer some of these amendments, but unfortunately there is little choice. For the legislative branch, unlike other areas of Government, is not subject to regular authorizing legislation. Highway programs, the National Institutes of Health, the Department of Defense, and all other Federal activities are subject to regular authorization. Thus, policy matters related to these functions may be addressed through the authorization process on a regular basis. This is not the situation with the legislative branch. Authorization for most policies and practices is essentially permanent and subject only to discretionary and occasional change. Thus Members view this bill as the only chance they have to vent their frustration with many aspects of legislative operations policy. This is why a restrictive rule is an unfair rule.

In many areas of Government, Congress has failed to exercise its responsibility to conduct oversight. Congressional oversight might have prevented the S&L debacle, the HUD scandal, and the late uncovering of an "M" account at the Air Force, to name just a few examples. So too, better oversight of the House might have avoided the bank and post office scandals. What is needed in this body is a clear commitment to oversight—to making things work better regardless of party label or ideology. We took a step in this direction with adoption of the reform resolution a few months ago, but we need to buttress that effort with a continuing commitment to actually running things better. Such a commitment would render many of today's amendments unnecessary. Indeed, many of the amendments would not be offered if Congress did not today stand in disrepute as a result of its oversight failures.

Mr. Speaker, having a finance office that promptly processes vouchers is not a partisan issue, it's a matter of common sense. So is having a bank that reconciles people's balances and disallows overdrafts, a food service that keeps proper books, an auditing and accounting system that tracks small expenditures, a post office that focuses on effective mail delivery, and a GAO that makes intellectual integrity its watchword. In short, insisting that the operations of the legislative branch are conducted efficiently, properly, legally and appropriately is not a partisan or ideological matter, but simply a question of common sense. These issues have become partisan and ideological because of the majority's failure to exercise oversight over a period of many years. Unless those who are in charge—the majority party—are willing to relinquish the patronage jobs and political advantage, the attacks upon this institution will continue and

amendments such as some of those being offered today will continue to proliferate.

Mr. FAZIO. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. PANETTA].

Mr. PANETTA. Mr. Chairman, I rise in support of H.R. 5427, the legislative branch appropriations bill. This is the third of the 13 appropriation bills that have been brought to the House.

This bill provides for about \$1.8 billion in discretionary budget authority and \$1.8 billion in discretionary outlays.

I want to point out to the House that this is \$534 million in budget authority and \$551 million in estimated outlays less than the 602(b) subdivision that was provided for the subcommittee.

Obviously, these committees have to make very tough decisions as they deal with what are increasingly restricted spending levels that have been provided pursuant to the budget agreement and pursuant to the budget resolution.

I want to commend the chairman and the ranking member for the kind of decisions that they have had to make in this bill and for bringing this bill to the House in a timely fashion.

I just want to urge Members to look at the tough decisions that have been made, and the fact that this bill is well below the outlay levels that were established and the budget outlay levels that were established by the budget resolution, and for that reason urge support for the bill on final passage.

I rise in support of H.R. 5427, the legislative branch appropriations bill for fiscal year 1993. This is the third of the 13 annual appropriations bills.

The bill provides \$1,809 billion in discretionary budget authority and \$1,841 billion in discretionary outlays. This is \$534 million in budget authority and \$551 million in estimated outlays less than the 602(b) subdivisions for this subcommittee. In keeping with tradition, Senate items are excluded from the House bill.

I commend the chairman and ranking member of this subcommittee for bringing this bill to the House in a timely fashion.

As chairman of the Budget Committee, I will inform the House of the status of all appropriations bills compared with their 602(b) subdivision as they are considered on the House floor.

I look forward to working with the appropriations committee on its remaining bills.

COMMITTEE ON THE BUDGET,

Washington, DC, June 22, 1992.

DEAR COLLEAGUE: Attached is a fact sheet on H.R. 5427, the Legislative Branch Appropriations Bill for Fiscal Year 1993, scheduled to be considered on Tuesday, June 23rd, subject to a rule being adopted.

This is the second of the thirteen annual appropriations bills for Fiscal Year 1993. The bill is \$534 million in budget authority and \$551 million in outlays below the 602(b) subdivisions for this subcommittee. The bill is 1.1% in budget authority and 5.7% in outlays below the Fiscal Year 1992 Appropriations Act. In keeping with tradition, Senate items are excluded from the House bill.

I hope this information will be helpful to you.

Sincerely,

LEON E. PANETTA,
Chairman.

Factsheet

H.R. 5427, LEGISLATIVE BRANCH APPROPRIATIONS BILL FOR FISCAL YEAR 1993 (H. REPT. 102-579)

The House Appropriations Committee reported the Legislative Branch Appropriations Bill for Fiscal Year 1993 on Thursday, June 18, 1992. This bill is scheduled to be considered by the full House on Tuesday, June 23, 1992.

COMPARISON TO THE 602(b) SUBDIVISION COMPARISON TO DOMESTIC SPENDING ALLOCATION

The bill provides \$1,809 million of discretionary budget authority, \$534 million less than the Appropriations 602(b) subdivision for this subcommittee. The bill is \$551 million under the subdivision total for estimated discretionary outlays. In keeping with tradition, Senate items are excluded from the House bill. A comparison of the bill with the funding subdivisions follows:

(In millions of dollars)

	Legislative Branch Approp- riations Bill		Appropriations Committee 602(b) Subdivi- sion		Bill Over (+)/ Under (-) Com- mittee 602(b) Subdivi- sion	
	BA	O	BA	O	BA	O
Discretionary	1,809	1,841	2,343	2,392	-534	-551
Mandatory ¹	88	88	88	88
Total	1,897	1,929	2,431	2,480	-534	-551

¹ Conforms to the Budget Resolution estimates for existing law.

BA = New budget authority

O = Estimated outlays

Following are major program highlights for the Legislative Branch Appropriations Bill for fiscal year 1993, as reported:

PROGRAM HIGHLIGHTS

(In millions of dollars)

	Budget authority	New out- lays
House of Representatives, salaries and expenses	704	599
Congressional Budget Office (CBO)	23	20
GPO—Congressional printing and binding	90	88
Congressional Research Service	56	51
Library of Congress, salaries and expenses	193	140
General Accounting Office (GAO)	442	386

The House Appropriations Committee filed the Committee's subdivision of budget authority and outlays on June 11, 1992. These subdivisions are consistent with the allocation of spending responsibility to House committees contained in House Report 102-529, the conference report to accompany H. Con. Res. 287, Concurrent Resolution on the Budget for Fiscal Year 1993, as adopted by the Congress on May 21, 1992.

Mr. LEWIS of California. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. HANCOCK].

Mr. HANCOCK. Mr. Chairman, I thank the gentleman from California for yielding me this time.

Mr. Chairman, here we are with a legislative appropriations bill which will provide over \$2 billion, just for the operation of the Congress.

If there is anyplace Congress can and should do more spending, even symbolically, it is with spending on ourselves.

Two billion dollars, 32,000 employees, 274 committees and subcommittees, un-

told numbers of task forces, caucuses and congressional bureaucracies; spending on Congress, like the Congress itself, in my judgment is out of control. It is proof of how out of touch this body is that so few of us seem to think that \$2 billion is maybe a little bit too much.

I feel that we could exercise a little more restraint, even though I do acknowledge the fact that we have at least started on the road to a little more fiscal responsibility, just not far enough.

Mr. LEWIS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. JAMES].

Mr. JAMES. Mr. Chairman, this House debated the military construction budget yesterday. One Member said the way to cut construction costs by an additional 1 percent was to cut overhead.

Today's congressional appropriation is all overhead. Unlike the military construction budget, this bill does not provide housing for America's soldiers. Unlike the Coast Guard, this bill does not save 13 people a day. It does not carry the mail, does not patrol the parks, does not clean up hazardous waste.

This bill provides the overhead of the U.S. Government. It is time overhead was cut.

The committee claims that the cost of congressional operations has been restrained—it has hardly gone up at all since 1978, will be the contention.

The cost of congressional operations should be down. We deal in paper. And with advances in computers, the cost of pushing paper should be down.

Mr. Chairman, important programs, programs that deliver services to the American people, programs that build roads, defend our shores, and save the children are all going to be cut.

Mr. Chairman, before we do that, let us cut the overhead of this Government. Let us cut it now, and let us cut it severely. We are looking at a \$400 billion deficit, a deficit that I believe the gentleman from California [Mr. PARNETT] was so concerned about, as we all were, and yet many voted against the balanced budget amendment.

I heard then plea after plea, "Let us get serious. Let us cut the budget."

Yes, I admit this committee has made an attempt. Yes, I see the cuts. Yes, I see the percentage cuts. I am not questioning that. I think, though, because we are dealing with overhead, we could significantly cut more.

Mr. LEWIS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. SANTORUM].

□ 1440

Mr. SANTORUM. I thank the gentleman for yielding this time to me.

Mr. Chairman, let me first start by congratulating the chairman and the

ranking member. When someone does good things, I am not the first to deny that they have, and there are some good things that were done here in this bill and I want to congratulate them for doing so. They eliminated the no-year funding provision, which was something I went to the floor and spoke about a few months ago. That is now no longer in the bill, and I commend them for that. They did make some reduction in some of the accounts. Again, I commend them for that. They started in the right direction.

But I would be remiss if I did not say that I do not think we have gone quite far enough when it comes to many of these accounts, which frankly are overfunded even at this austere level that has been talked about on the floor.

One area which I think is probably the most bloated is the franking account. Now, I went to the Committee on Rules 2 days ago and asked for an amendment to reduce the franking account down to the same level, actually \$2 million above the level that we as a Congress spent in 1991. Remember, this appropriation is for 1993. So this would be a similar year, an off-year election. I wanted to come in with a number that was basically the same number as we spent 2 years ago. There would be no reason, as I understand, why anyone, any new Member of Congress or any Member of Congress who came back, who would want to spend that much more. Yet we are appropriating over \$20 million more in that account than what was spent in 1991. There is no reason for that. The only reason I can think of is we would like to have some money sort of laying around just in case we need to reprogram it for one desire or another out of the hands and out of the watchful eye of the public and out of the control of the people here in the Congress making the decisions today; but in the control of the Subcommittee on Legislative Appropriations. I just think that is wrong. I think that gets away from accountability. It gets to the kinds of things that I think the people in America are tired of. We should have these things out in the open being discussed.

Another thing I was disappointed in, and I would get to the rule a little later, unlike all the other bills that I suspect we will be seeing a lot of across-the-board cuts in appropriations. We have seen them offered by the Democratic side of the aisle here for the last couple of bills. We have seen those offered by the Democratic side of the aisle as across-the-board cuts. Yet, unfortunately, under the rule, we do not have any across-the-board cuts. In fact, of the amendments made in order by the Committee on Rules, only four of them actually reduce spending. Over 15 were offered. No across-the-board cuts were made.

I should stand up here and I should be very happy because two of the three

amendments that I offered in the Committee on Rules were accepted. The only point is the amendments that were made in order are subject to a point of order and they did not waive that.

So, I suspect, and I hope that I am wrong, when I get up to offer my amendment on the floor, that the gentleman from California will not rise and make a point of order and will allow me, as was, I am sure, the intent of the Committee on Rules, will allow me to stand up and offer what was made in order by the Committee on Rules, and that is to do a study on space in the House here in the Capitol and the House office buildings.

Mr. LEWIS of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. I thank the gentleman for yielding this time to me because I was just up discussing with the parliamentarian something which happened as a result of the rule. That is that because of the process we have used here, we have now adopted language on page 34, "provided" language, which goes to section 305 of the bill, which, as I understand it, cannot be discussed, cannot be amended, will not even be read by the Clerk later on today as we are reading through the bill, but yet it changes materially the section 305 into something that is completely nonsensical in nature. There is absolutely no way we ought to be providing for "that no amounts may be transferred before the date of enactment of the act authorizing the use of funds for that purpose," when the whole section goes to the question of "no part of any appropriation of this act or any other act shall be used for acquisition."

Now, you know, we have managed now to become a laughingstock with some of the bills we have. You now have language here which is totally nonsensical and the House is going to be asked to act upon it because we cannot even do something to correct it or amend it on the House floor.

Mr. FAZIO. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman.

Mr. FAZIO. I thank the gentleman for yielding.

Mr. Chairman, there was a clerical error made in submitting that amendment to the Committee on Rules, which could be easily corrected if the gentleman would allow a unanimous consent request in the full House when we complete the work of this bill.

I appreciate the gentleman's very close reading of the bill. He has found a technical mistake that certainly, hopefully everyone will allow to be fixed when the time comes. It just puts the language of section 306 in compliance with the authorizing committee's

purpose. Their amendment requires a minor technical adjustment.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume, to say that indeed we will watch with care the way the gentleman handles the procedural process of amendments before us, approved by the Committee on Rules, to see whether he exercises points of order to eliminate discussion, before we make a decision regarding such things as a unanimous-consent request.

Mr. FAZIO. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman.

Mr. FAZIO. I thank the gentleman for yielding.

I think, in general, I am prepared to allow some discussion before I do move to terminate. But I do think that would also require some on your side to cooperate in other procedural ways as we proceed through the bill.

Mr. LEWIS of California. We are beginning to find that this is a process of termination around here.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman for yielding.

Mr. Chairman, I think it is fascinating. We are supposed to allow them to clean up the bill by unanimous consent when in fact what they have done is stripped the minority of our ability to strike sections of the bill that we thought were completely within our rights to deal with. And I would tell the gentleman I do not think this should be done by unanimous consent. It is the kind of thing which is precisely why we should not operate in this kind of a manner. I am told, for example, that under this process we cannot move to strike the last word, even. That has been taken away from us as well. We cannot even debate these matters. That privilege has been taken away not only on this side but on the other side.

Mr. FAZIO. If the gentleman would yield, the gentleman has always been a staunch defender of the authorizing committees throughout this career here. I have heard him speak on the energy and water bill just the other day. All we are trying to do is accommodate the authorizing committee here. They submitted some language that was not perfect. We certainly would like to fix it. But if the gentleman wishes to object, we certainly would have to find another time and place to do it.

Mr. WALKER. As the gentleman knows, this could have been corrected easily if they would allow us to go by the regular process instead of this process.

The CHAIRMAN. The gentleman from California [Mr. LEWIS] controls the time at this point.

Mr. LEWIS of California. Mr. Chairman, the gentleman from Pennsylvania is making a very important point. It is very clear that we have a precedent here insofar as the rules are concerned, whereby the majority appears to plan to use the Committee on Rules to limit debate and amendments on appropriations bills, a precedent that is most unusual and indeed could have a very big impact upon the direction of the national economy.

But by way of closing, Mr. Chairman, let me suggest I very much have appreciated the support I have had from Members on my side of the aisle on this committee, where we do the very difficult work of appropriating moneys for the workings of the House. The gentleman from Illinois [Mr. PORTER] and the gentlewoman from Nevada [Mrs. VUCANOVICH] have been extremely helpful Members, and I appreciate their assistance.

Beyond that, as my chairman indicated earlier, we have very fine staff on both sides of the aisle who are fully cooperative in a bipartisan sense.

I have very much appreciated my chairman's willingness to be responsive to our efforts to cut back the spending on this bill, for indeed if we are going to set an example for the country, the first place to begin to set that example is in the appropriations for the legislative branch itself.

Mr. Chairman, I reserve the balance of my time.

Mr. CRANE. Mr. Chairman, for the record I want to register my disgust with the Democratic leadership of this House for the manner in which it limited amendments to the legislative branch appropriations bill for fiscal year 1993. I do not understand why the Democrats would choose to limit the ability of Members of Congress to offer amendments to this bill, when historically the bill has had an open amendment process and when the American people are begging us to clean up our own house.

The effort to restrict our ability to offer amendments, particularly amendments to cut spending, is also a rather hypocritical act when one considers the recent debate that occurred on the floor of the House. Not too long ago this Chamber defeated a constitutional amendment mandating a balanced budget amid the pleas and cries of many Members that it was unnecessary. It was argued that, despite this body's propensity to endlessly spend taxpayer dollars, it was not necessary to cement fiscal responsibility into law because Congress already has the ability and, more importantly, the desire to practice safe legislating on their own, without any tampering with the Constitution. That was the argument made by many of my colleagues and today I am calling them on their promise. This is, as they say, the day of reckoning—an opportune time to demonstrate to the American people the commitment and dedication this body has to providing a better future for our grandchildren than the one currently promised them under a \$4 trillion black cloud of debt. Indeed, what better way to start than by cutting spend-

ing that directly affects us—the budget for Congress.

There was a lot of talk on the floor 2 weeks ago about the necessity of balancing the budget, cutting spending, and reducing the deficit. Well, the American people have heard enough talk. Understandably so, they want some action. Today, I challenge my colleagues to help restore the credibility of this institution by voting with a thought to the future of our country. We have a unique opportunity today to convince our constituency, and ourselves, that we can produce a balanced budget and we can curb the Federal Government's runaway spending. Let's not blow this opportunity with more hot air. I say to my colleagues who voted against the balanced budget amendment while confessing that Congress can and will cut spending without a constitutional mandate, "Go ahead, make my day!"

Mr. RAMSTAD. Mr. Chairman, I rise in opposition to H.R. 5427, the legislative branch appropriations bill for fiscal year 1993.

Mr. Chairman, 2 weeks ago, the House rejected four different proposals to add a balanced budget amendment to the Constitution. Opponents argued that courage on the part of Congress—not a constitutional amendment—was necessary to balance the budget.

I agree with them in one respect: It will take courage to balance the budget. And today, Congress had an excellent opportunity to display this courage by reducing its own spending in this bill. Yet, once again, it failed to do so.

Earlier this week, I offered an amendment before the Rules Committee to reduce the bill's spending to the level passed by the House for fiscal year 1991. This amendment would have cut spending for congressional operations by 7.6 percent, a savings of more than \$138 million for the taxpayers.

Why fiscal year 1991 levels?

Like many of you, I have listened to our colleagues on the Appropriations Committee argue that the spending level of H.R. 5427 falls below the appropriations level for fiscal year 1992.

What our colleagues do not mention is that their 1992 baseline of \$1.829 billion is the result of significant increases put in by Congress. As you will see, the process by which these funds were added is not only fiscally irresponsible, but confusing as well.

On October 20, 1990, the House passed a \$1.671 billion appropriations bill for fiscal year 1991. The conferees then added another \$70 million, a 4.2 percent increase over what the House had already approved for the needs of itself and other legislative agencies.

Then, for fiscal year 1992, Congress tacked on an additional \$88 million, a 5.1 percent increase over the previous year's appropriations. These increases led to the \$1.829 billion we are spending this year, a full \$158 million more than the House originally determined it needed for fiscal year 1991.

And what have these additional funds gotten us over the last 20 months?

Continued failure to balance the Federal budget. Ethics problems. The inability to pass economic growth legislation. No wonder the voters are angry.

It's time to redeem ourselves—not through vague proposals on budget reform, but

through sound fiscal policy. And where better to start than with this body?

While a \$138 million reduction may seem like a drop in the bucket compared to a \$400 billion deficit and a \$4 trillion national debt, it would have been a sign to the American people that Congress is ready to begin balancing the budget.

I'm disappointed to see that once again, Congress has refused to do that. Our children and grandchildren deserve better.

I urge my colleagues to vote against the bill.

Mr. McDADE. Mr. Chairman, the legislative branch bill is the third fiscal year 1993 appropriations bill before the House this year. This bill makes clear that the Budget Enforcement Act of 1990 does impact the appropriations process.

It has imposed considerable discipline; spending constraints are real and they are difficult.

Mr. Chairman, I take this opportunity to commend the chairman and the ranking minority member of this subcommittee. Theirs is a thankless task, and one which has little positive impact back home in their districts.

They have worked diligently to craft a tight bill.

This is the only appropriation bill which funds one of the three branches of the Federal Government in its entirety and, only for that branch of Government. The funding for that branch, the people's branch, amounts to 0.16 percent of the entire Federal budget and totals \$1.8 billion for fiscal year 1993.

It contains \$1.1 billion, or 59 percent, for the actual operations of the Congress, excluding Senate items and, \$733.5 million, or 41 percent, for functions of other agencies such as the Library of Congress, the Government Printing Office, the General Accounting Office, and the Botanic Garden which are not specifically related to Congress.

The total appropriation provided in this bill, \$1.8 billion, represents a \$295.4 million, or 14-percent, reduction to the budget request. The bill is under last year's level by \$20 million in budget authority and \$90 million, or 5.6 percent, in outlays. It is under the 602(b) allocation.

Mr. Chairman, this bill holds the line.

The subcommittee had difficult decisions to make and they did so as a team. The committee has reported a balanced, fair, and disciplined bill.

Mr. FORD of Michigan. Mr. Chairman, I rise in support of H.R. 5427, the legislative branch appropriations bill.

We have begun our annual exercise in self-flagellation—consideration of the legislative branch appropriation bill. Over the next few hours we will undoubtedly be treated to some amendments intended solely to cripple this institution's ability to operate. Others, perhaps, may be offered in an attempt to embarrass this House and its leadership. In recent years some Members have used this bill to try to score political points at the expense of the House. I hope this will not be the case again this year.

The Committee on Appropriations has brought us a good bill, and I want to commend the work of Chairman FAZIO, ranking member LEWIS, and the members of the Subcommittee on the Legislative Branch who each year face

the thankless task of developing this legislation.

This is the leanest legislative branch bill I can remember in my 28 years in the House. This bill is not a current-services bill, that is, a freeze with adjustments for inflation. It is not even a hard freeze. It is a real cut as far as the House is concerned. As reported, this bill appropriates 18 percent less than has been requested for fiscal year 1993 and 1 percent less than was appropriated last year.

These cuts are spread across the board, at least as far as the majority is concerned. I notice the Speaker's office is cut by more than 6 percent below last year's level. The majority leader's office is cut by more than 11 percent. The minority leader's office is cut by about 3 percent. Official mail costs are slashed. Virtually every other House account is frozen at last year's level. As a committee chairman who has to deal with these cuts, I know this bill will cause some pain.

I am concerned, however, that in our efforts to demonstrate to our constituents that we are fiscally responsible we will impair our ability to operate and to oversee the executive branch. If we adopt some of the amendments which have been noticed, we could shoot ourselves in the foot.

Some, particularly on the other side of the aisle, may want to impair our ability to conduct effective oversight. From a partisan standpoint that is understandable. It was the Democratic Congress that exposed executive branch scandals such as Watergate, Iran-Contra, the HUD scandal, and the savings and loan debacle. But it is the responsibility of the Congress to oversee the executive branch, and it would be irresponsible to adopt amendments which impair our ability to meet that responsibility.

An example of such an amendment is one that may be offered to cut the General Accounting Office's [GAO] budget by 25 percent. This amendment would gut GAO's ability to serve as the investigative arm of the Congress. I intend to speak against that amendment later, but I have always been impressed by the impartiality and professionalism of GAO. When I chaired the Committee on Post Office and Civil Service, GAO investigators unearthed the inappropriate financial relationships between top Presidential advisers, Mr. Deaver and Mr. Meese, and the Chairman of the Postal Service Board of Governors whose appointment, coincidentally, had been recommended by Mr. Deaver. It was GAO which examined the sweetheart contract Ross Perot entered into with the Postal Service, a contract which virtually guaranteed that Mr. Perot's company would have a monopoly on Postal Service business. That contract was nullified when the full details of the contract became public.

With respect to programs under the jurisdiction of the Education and Labor Committee, the GAO, during fiscal years 1989 through 1992, issued 94 reports, prepared 44 pieces of congressional testimony, and documented savings of over \$800 million. During this period, GAO's work contributed significantly to our legislative and oversight activities and resulted in savings and improvements in the Departments of Education and Labor.

My colleagues, this is a good bill. Support Chairman FAZIO. Oppose those amendments

which hinder Congress' ability to do its job. And, vote for the bill.

Mrs. VUCANOVICH. Mr. Chairman, as a member of the Legislative Branch Subcommittee I rise in support of H.R. 5427. It is a privilege to serve with such distinguished members as our chairman, VIC FAZIO, and the ranking member, JERRY LEWIS. I would like to commend them for their hard work on this bill. This is always a controversial piece of legislation and this year is no exception in light of the recent wave of Congress bashing. VIC and JERRY have worked hard to bring a fair and balanced bill to the floor.

Mr. Chairman, we approved \$1.8 billion in spending, which does not include money for the Senate. This represents a 5.7-percent reduction in outlays from fiscal year 1992 and a 1.1-percent reduction in budget authority. With this bill we are showing that, in this time of tight budgets, we are tightening our own belts and reducing the money spent on congressional operations. We are setting an example for the other branches and rightfully so.

This is, by its very nature, a difficult debate. I would like to point out, however, that the \$53 million appropriated for franked mail represents a one-third reduction from the \$80 million that was initially approved for fiscal year 1992. The bill also includes language that would prohibit House Members from sending franked mass mailings outside their districts.

The fiscal 1993 appropriation for House salaries and expenses, which include committees and personal staffs, is set at \$704.4 million, compared with \$713.5 million in fiscal year 1992.

The GAO's budget was cut by \$500,000 to \$442.2 million. Although this is a step in the right direction, I am in favor of efforts to reduce this budget even further.

The only significant increase is for the Library of Congress. This is due to the fact that the Library is in the midst of a massive computer cataloging program.

Mr. Chairman, I know that this is an easy bill to criticize but we must provide adequate funding for the efficient operations of the House. A lot of hard work, on both sides, has gone into this bill and I urge passage of H.R. 5427.

Mr. GAYDOS. Mr. Chairman, I rise in strong support of the legislative branch appropriations bill for fiscal year 1993. This bill is a fiscally responsible piece of legislation which will limit the potential for growth in legislative branch expenditures. It is the product of a very rational and systematic process of reviewing in detail every budget request from the entities comprising the legislative branch. The bill, as skillfully crafted by the Subcommittee on Legislative Branch Appropriations, prudently balances the demand for fiscal restraint in the expenditure of public funds with the critical need for the legislative branch to discharge its responsibilities in an effective manner. Consequently, I commend the chairman of the subcommittee, Mr. FAZIO, the ranking minority member, Mr. LEWIS, and the members of the subcommittee for their hard and thoughtful work.

The recommended total new budget authority for fiscal year 1993 is \$19,875,000 below the total amount available for fiscal year 1992. Furthermore, the recommended total amount

for fiscal year 1993 is \$295,400,000 less than the sum total of all the budget requests from the respective legislative branch entities. In effect, the total of all the requests was cut by 14 percent. Thus, the recommended total appropriation for fiscal year 1993 is very reasonable and in fact, it reflects a tough bill. In the end, the subcommittee has presented to the House a true product of fiscal restraint and prudence.

In terms of understanding the relationship of the pending appropriations bill with the legislative branch budgets approved over the past several years, the committee report is very instructive. Since 1978, a year in which legislative branch operations stabilized, the legislative branch budget has remained approximately the same in real terms. As the report indicates:

The average growth since 1978 has been 5.4 percent per year, as compared with 5.5 percent for price levels measured by the Consumer Price Index. Congressional operations, title I of the bill (and adding the budget estimates for the Senate), also have been restrained, growing at only 5.7 percent annually. During the same period, the executive branch has averaged a 7.6-percent annual rate of growth, an increase in real dollars at an annual rate of 41 percent higher than the legislative budget.

Finally, I strongly urge my colleagues to support this very restrained bill. It is a very responsible allocation of Federal funds. In particular, I would recommend against supporting any indiscriminate across-the-board cut. Approval of such a cut would seriously negate the careful judgments made by the Appropriations Subcommittee during its meticulous budget review process. In fact, the adoption of such an amendment would impair the process itself and it would lead to unforeseen consequences. It would be a defeat for the House's effort to apportion its funds in a fiscally responsible manner.

Mr. FRANKS of Connecticut. Mr. Chairman, I rise in frustration at the treatment of the minority party and for the business-as-usual attitude that shows itself in the funding levels in this bill. The rule under which the bill is being debated shows that the Democrats are not willing to make those tough choices that they spoke so fondly of just a few weeks ago. Amendments that would make tough budget choices were not allowed to be offered on the floor by the Democrat-controlled Rules Committee.

Of the amendments that were allowed, there are a few I would like to discuss. I am pleased to support the Swett amendment to rescind \$6.1 million in unused 1991 appropriations. The existence of the contingency fund is yet another example of House procedures with which the public is outraged. The contingency fund typifies the fiscal irresponsibility of the Democratic Party which has controlled Congress for the last umpteen years. If Congress does not spend the money it was appropriated, the money should be returned to the Treasury. It should not be left in some contingency account to fund projects not subject to congressional review and at the discretion of certain Members. Along with the return of this money to the Treasury, I would have liked to see the funds applied toward Federal deficit reduction. Unfortunately, this amendment was not allowed by the Rules Committee.

I also support the Thomas of California amendment. I am a cosponsor of legislation that would prohibit Members from sending mass mailings outside of their district. Passage of similar language in this bill will support the movement to reform the franking system and deter franking abuses.

I will not, however, support the Roberts/Walsh amendment to prohibit Members from using clerk hire and official expense funds to support legislative service organizations [LSO]. I believe that LSO's are very worthwhile organizations. Without the support of their members they would not exist. LSO's provide valuable information on floor action and analysis of legislation. If generated by individual offices, this work would consume an inordinant amount of time and would leave little time to pursue other projects. If LSO's did not produce work valued by the membership, Members would not join them. In my opinion, a prohibition on the use of Members' funds, such as proposed by this amendment, is not necessary.

In the end, however, I will not support this bill. It provides funds for a bloated Congress. The rule denied Members the opportunity to make tough budget choices now. Many necessary amendments which could have improved the bill were not allowed under the rule. I cannot support a bill which I believe continues business as usual when my constituents are crying out for change and a reduction in Federal spending.

Mr. FAZIO. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. LEWIS of California. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment printed in section 2 of House Resolution 499 is considered and adopted.

Pursuant to the rule, no other amendment shall be in order except those amendments printed in House Report 102-609. Unless otherwise specified in the rule, amendments shall be considered in the order and manner specified, shall be offered only by the Member specified, or his designee, shall be considered as read, and shall not be subject to amendment or to a demand for a division of the question. An amendment in the form of a limitation or retrenchment shall remain subject to the provisions of clauses 2(c) and 2(d) of rule XXI. Debate time for each amendment shall be equally divided and controlled by the proponent and an opponent of the amendment.

The Clerk will read.

The Clerk read as follows:

H.R. 5427

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 1993, and for other purposes, namely:

TITLE I—CONGRESSIONAL OPERATIONS
HOUSE OF REPRESENTATIVES
MILEAGE OF MEMBERS

For mileage of Members, as authorized by law, \$210,000.

□ 1450

Mr. FAZIO (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 17, line 16, be considered as read, printed in the RECORD, and open to amendment at any point.

Mr. WALKER. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

AMENDMENT OFFERED BY MR. SWETT

Mr. SWETT. Mr. Chairman, I offer an amendment made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SWETT: Page 2, after line 5, insert the following:

SALARIES AND EXPENSES (PRIOR YEARS)
(RESCISSION)

Of the funds appropriated in the Legislative Branch Appropriations Act, 1991, for the House of Representatives under the heading "SALARIES AND EXPENSES", there is rescinded a total of \$6,775,642.83, in the amounts specified for the following headings and accounts:

(1) "HOUSE LEADERSHIP OFFICES", \$308,988.51, as follows: (A) "Office of the Speaker", \$17,647.07; (B) "Office of the Majority Floor Leader", \$36,233.46; (C) "Office of the Minority Floor Leader", \$183,097.26; (D) "Office of the Majority Whip", \$61,579.53; and (E) "Office of the Minority Whip", \$10,431.19.

(2) "COMMITTEE ON THE BUDGET (STUDIES)", \$8,261.37.

(3) "STANDING COMMITTEES, SPECIAL AND SELECT", \$2,171,051.63.

(4) "ALLOWANCES AND EXPENSES", \$2,592,737.63, as follows: (A) "Official Expenses of Members", \$2,196,821.48; (B) "supplies, materials, administrative costs and Federal tort claims", \$3,108.30; (C) "net expenses of purchase, lease and maintenance of office equipment", \$292,766.95; and (D) "steno-graphic reporting of committee hearings", \$100,040.90.

(5) "COMMITTEE ON APPROPRIATIONS (STUDIES AND INVESTIGATIONS)", \$955,144.83.

(6) "OFFICIAL MAIL COSTS", \$41,210.33.

(7) "SALARIES, OFFICERS AND EMPLOYEES", \$698,248.53, as follows: (A) "Office of the Postmaster", \$1,000.53; (B) "Office of the Parliamentarian", \$119,087.71; (C) "for salaries and expenses of the Office of the Historian", \$54,324.08; (D) "for salaries and expenses of the Office of the Legislative Counsel of the House", \$198,559.05; (E) "six minority employees", \$85,315.44; (F) "the House Democratic Steering Committee and Caucus", \$123,537.90; (G) "the House Republican Conference", \$94,273.55; and (H) "other authorized employees", \$22,150.27.

The CHAIRMAN. Pursuant to the rule, the gentleman from New Hampshire [Mr. SWETT] is recognized for 15 minutes, and a Member opposed will be recognized for 15 minutes.

Mr. LEWIS of California. Mr. Chairman, although I do not rise in opposition to the amendment offered by the

gentleman from New Hampshire [Mr. SWETT], I ask unanimous consent to be recognized for 15 minutes in support of this popular amendment, and I will allocate that time to the Members on my side of the aisle.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New Hampshire [Mr. SWETT].

Mr. SWETT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first let me state my support of H.R. 5427 and commend the chairman and ranking member for their fine work. In a year of tight fiscal budgets, the reductions achieved in this bill, which make it less than budgets of all previous years since 1977, clearly indicate that Congress is moving in the right direction. However, I hope that we can help make this bill even better.

Mr. Chairman, the amendment that I am offering to the legislative branch appropriations bill today will rescind all known, unexpended balances from the fiscal year 1991 appropriation for the House of Representatives, which is a sum of approximately \$6.8 million. These funds were previously appropriated for the use of the House leadership offices, House committees, Member offices, and other House of Representatives' accounts. Under our amendment, these remaining unused funds will be returned to the U.S. Treasury and will not be reprogrammed or used for other congressional purposes.

I would like to acknowledge the support of Mr. DORGAN of North Dakota, Mrs. BOXER of California, Mr. GLICKMAN of Kansas, Mr. PENNY of Minnesota, and Mr. KLUG of Wisconsin in cosponsoring this amendment to the legislative appropriations bill.

From the beginning of my short career as a public servant and Member of this House, it has been evident to me that our greatest task is to increase the fiscal responsibility of the Federal Government.

Occasionally Members have the opportunity to demonstrate a commitment to fiscal responsibility through voting on bills that involve vast sums of money by significantly altering the way executive agencies operate and by attempting to adopt an amendment to the Constitution calling for a balanced budget.

Mr. Chairman, this amendment might not be considered such a grand piece of legislation. It returns a modest amount to the Treasury. It will not solve the national debt. But while \$6.8 million may not be large in comparison to the amounts we often consider in this House, it is an important step in the right direction. Rather than simply reallocating these unexpended funds,

we are returning them to the Treasury. The principle is very important.

It is my hope, Mr. Chairman, that this amendment will mark a beginning in the exercise of greater fiscal responsibility on the part of all of us in the Congress. This past year, one of the ways that I tried to do this was by keeping a firm commitment I made to my constituents in the 2d Congressional District of New Hampshire not to abuse my franked mail allowance. Last year I returned over two-thirds of my franked mail allowance to the Clerk of the House.

I believe that each one of us in the Congress has the responsibility to exercise greater care in our stewardship of the public funds we are allocated. We must demonstrate to the American people that we can be careful, responsible managers who wisely guard the taxpayers' dollars entrusted to us. Rescinding this \$6.8 million is a modest step toward greater fiscal responsibility in Congress. It demonstrates the right attitude. It puts us on the right track. It shows that Congress can get by with less, that Congress can manage public funds more efficiently. This is the direction we must continue to follow.

As the internationally renowned architect, Miles Van der Rohe, once said, "Less is more." If we can do more with less, than we truly accomplish a great deal in rebuilding the confidence of the American people in our democratic form of government.

I urge my colleagues to join me in supporting this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Chairman, I yield 15 minutes to the gentleman from Wisconsin [Mr. KLUG].

Mr. KLUG. Mr. Chairman, there is a fundamental principle involved in this amendment that everyone in my district in Wisconsin clearly understands, and that is:

When you sit down at the kitchen table at the end of the month over a cup of coffee to write out checks for your bills, the goal for everyone is to have some cash left over to stick into a savings account.

Mr. Chairman, many of us, when we were elected, took that same principle to heart, so, as the year went on, we did not spend every nickle and dime and every buck at our disposal, we did not spend it on staff, or mailing, or stationery. We tried to bank some of it only to discover that the money we thought was being returned to Treasury oftentimes could be reprogrammed and then spent elsewhere.

This amendment offered today will return nearly \$7 million to the Treasury. This money from the 1991 legislative appropriations budget will be used to reduce the deficit instead of being tucked away in some rather mysterious contingency fund.

Mr. Chairman, I would like to thank in particular my freshman classmate,

the gentleman from Pennsylvania [Mr. SANTORUM], who has taken the lead in recent weeks in pointing out the potential for abuse in any kind of legislative slush fund, and I would also like to thank the gentleman from New Hampshire [Mr. SWETT], my colleague, and also the gentleman from California [Mr. FAZIO] and the gentleman from California [Mr. LEWIS] who agreed with our arguments and who made the case to their colleagues on the legislative appropriations committee that legislative reprogramming should be substantially cut back, although I, like many of the speakers on this side of the aisle, think it should be eliminated altogether and in the future be totally banned.

Mr. Chairman, I yield such time as he may consume to the ranking member of the Subcommittee on Legislative of the Committee on Appropriations, the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. Mr. Chairman, by way of the courtesy of the Chair, I rise to express my support for the work of our two colleagues on this amendment. The amendment would rescind almost \$7 million from the legislative branch appropriations bill, monies that remain from the 1991 year. It is our best guesstimate that we can within reason rescind at this point as much money from our bill as possible from the 1990 year and 1991 year to the Treasury rather than accumulating over time into a larger fund available for legislative branch reprogramming purposes. It is an effort in another way to demonstrate that within the legislative branch appropriations bill we are not just tightening our belts. We indeed are attempting to demonstrate that across the board in our appropriations bills this year there will be a major effort to cut back spending and, thereby, impact the national debt.

□ 1500

With that, I want to express my appreciation to my two colleagues, and I certainly appreciate them yielding me this time.

Mr. KLUG. Mr. Chairman, I yield 4 minutes to my distinguished freshman colleague, the gentleman from Pennsylvania [Mr. SANTORUM], who has been a leader on this entire issue.

Mr. SANTORUM. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I would like to give a little overview of where this money is coming from and how we arrived at this \$6 million figure.

At the end of 1991 my understanding was that left over, in other words, money in the legislative accounts that was unused in 1991 as of September 30, which is the end of our fiscal year, was approximately \$46 million.

Now, Mr. Chairman, let me step back. I think sometime this winter we rescinded \$20 million of that \$46 million, so we went down to \$26 million

being left over. We took \$20 million and rescinded that funding from the franking account.

We are now today rescinding another \$6 million, which leaves about \$20 million.

You may ask what happened to this \$20 million? Some very legitimate things happened. There were bills that were not submitted by the September 30 deadline that we had to pay. A lot of those bills were in, and, unfortunately, some of this money was reprogrammed.

What is reprogramming? Well, let us say you have some money here in the Post Office account and you do not necessarily have any reason to spend it there because there are no unpaid bills, so you decide you want to spend it over here in the office equipment account. So you, with a little sleight of hand, the chairman of the appropriations subcommittee, in consultation with the ranking member, decides we are going to spend this money somewhere else for some other purpose that nobody in this House has agreed to spend it on.

That is what I call the contingency funds of the House.

Mr. FAZIO. Mr. Chairman, will the gentleman yield?

Mr. SANTORUM. I yield to the gentleman from California.

Mr. FAZIO. Mr. Chairman, I knew the gentleman would yield, because it is important to have some dialog on this issue.

I certainly appreciate the understanding of the gentleman from Pennsylvania [Mr. SANTORUM], increasing understanding, I might add, of how this works.

Mr. SANTORUM. Mr. Chairman, I am learning.

Mr. FAZIO. I think the gentleman is to be commended for this studious approach to this. I know the gentleman has been working with staff and the CRS and others.

The only point I would like to make though is that the reprogramming authority here actually provides for more accountability than exists often in the executive branch.

In many areas the sorts of transfers that the gentleman from California [Mr. LEWIS] and I agreed to make here, from one account to another, are not even brought to Congress when they occur in the executive branch. So we really are providing more oversight. I think we have to remember that all these things that we have reprogrammed for are authorized. They are totally appropriated based on law that is standing in existence.

For example, the reprogramming we agreed to last week on the clerk hire funds which will allow Members to keep faith with their employees through the end of the fiscal year is very important, and not sleight of hand. It is simply part of the process that we have to use to have the flexi-

bility to do our job. It is the same sort of thing that is done in the private sector and the executive branch in order to expedite their operations and to deal with unforeseen requirements.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. SANTORUM. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I was going to suggest to the gentleman from Pennsylvania [Mr. SANTORUM] that one day it is conceivable that my chairman's party might have the presidency. Then the gentleman from Pennsylvania [Mr. SANTORUM] and I can make all these examples about the administration.

Mr. SANTORUM. Mr. Chairman, reclaiming my time, what I would say is while we might be somewhat more accountable while the subcommittee makes these decisions, my feeling is if we are going to be doing reprogramming, No. 1, we should limit it, and I think we have done that by elimination of the no-year funding; and, two, it should be a much more open process and inform the Members generally speaking as to what is going on so the public has the right to know that.

Mr. Chairman, that is the reason I have gotten up on the floor and at times harangued on this issue. I think we are seeing some sanity being brought to the process.

I want to commend the gentlemen for doing this and commend the gentleman from Wisconsin [Mr. KLUG] and the gentleman from New Hampshire [Mr. SWETT] for eliminating whatever money was left over for 1991. I look forward next year to getting rid of the leftover funds from 1992.

Mr. SWETT. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota [Mr. PENNY].

Mr. PENNY. Mr. Chairman, I rise in support of the Swett-Penny-Dorgan-Klug-Boxer amendment to the fiscal year 1993 Legislative Branch Appropriations Act, to rescind funds appropriated but not spent in Member's office accounts in fiscal 1991. The \$6.8 million rescinded by this amendment will be returned to the Treasury for deficit reduction. I commend the gentleman from New Hampshire for his leadership in offering this amendment and I also want to thank Chairman VIC FAZIO for producing a bill that is both below the budget cap and a 5.7-percent reduction from current-year spending levels.

The underlying bill before us, H.R. 5427, will result in a hiring freeze in the House, a \$27 million cut in mail costs, a \$6.2 million reduction in congressional printing costs, a \$8.2 million cut in maintenance and repairs, a \$4.5 million cut for House supplies and materials, a \$1.2 million reduction in police costs, a spending freeze for the Congressional Research Service and all

joint committees at current-year levels to just name a few of the reductions contained in this measure. This year's bill contains more cuts than any other year in the history of legislative branch appropriations.

The Swett-Penny-Dorgan-Klug-Boxer amendment eliminates what has been called no-year funds that are appropriated in one fiscal year but are authorized to be spent in subsequent years. Some Members, myself included, have consistently turned back a portion of our office budget. Our intent was to save the taxpayers money—not to have these savings spent elsewhere. Many of us have rightfully charged that no-year accounts have turned into a slush fund from which projects around the House are funded, often without authorization or specific appropriation. For the information of Members, this fiscal year 1993 legislative branch bill allows no such fund.

In addition, I believe a reorganization of the Congress is in order—including a reduction in the number of committees. I will be working to implement these reforms in the next Congress. Clearly, at that point, additional budget savings can be achieved. In the meantime, I am pleased with our recent decision to freeze current-year committee budgets and with this proposal for nearly a 6-percent cut in next year's legislative funding. I feel these are steps in the right direction. I commend the leadership for working with those of us who have advocated cuts in the legislative budget.

I urge the adoption of the amendment, and I again commend Mr. SWETT and Chairman FAZIO for their work on this measure.

Mr. KLUG. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Chairman, I think this is a good amendment that we should all support. The bill before us to which this is an amendment makes great strides by eliminating no-year funding, which did give rise to the so-called slush fund which is, I think, of great concern to many people throughout this country. I am delighted to know that we are going back toward the fixed year appropriations.

Mr. Chairman, I also like this amendment because we will be able to return to the General Treasury for purposes of deficit reduction nearly \$7 million, which, although small in terms of the overall size of the budget, is definitely a step in the right direction.

I wish that we could go beyond what this amendment proposes and get a performance audit of all accounts of the House of Representatives, and I would like to scrutinize more closely the Architect of the Capitol account, but those issues will remain for another day.

Today we have a chance to take this small step in the right direction, and I would urge support for the amendment.

Mr. KLUG. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. BOEHNER].

Mr. BOEHNER. Mr. Chairman, I rise today to support the amendment offered by my colleagues and friends, the gentleman from Wisconsin [Mr. KLUG] and the gentleman from New Hampshire [Mr. SWETT]. I think this is certainly a worthwhile contribution they make today.

I also rise to congratulate the gentleman from California [Mr. FAZIO] and the gentleman from California [Mr. LEWIS], who have made some important contributions in terms of changing the direction of this legislation. It does not go as far as I would like to see it go, but it is at least a step in the right direction.

Mr. Chairman, my colleague, the gentleman from Pennsylvania [Mr. SANTORUM], previously discussed contingency funds and the whole issue of reprogramming. We are reducing the contingent funds here. We are down to about \$20 million. With what the committee did to eliminate no-year funding, the ability of contingent funds to continue to build can no longer occur.

When it comes to reprogramming of those funds, I think that all of us realize reprogramming is important. You are going to have changes in the budget that occur during the year, and certainly there is going to be an effort and need to change funds around.

What I and others would like to see in a reform mode is to see that reprogramming efforts are done in a more formal way, in a more open way, so that Members of this House have some idea why we are reprogramming money and for what purpose it is going to be used.

In addition, one of the other areas that I think a lot of us believe strongly in is that we ought to have performance audits, so that Members of this Congress who sit here and vote for this money can actually see where this money is going. Because with reprogramming, as it is done today, and with the lack of performance audits, many of us have no idea how funds that this Congress appropriates are actually being used.

□ 1510

So again, I rise to thank my colleagues and support their amendment. It is a worthwhile amendment, deserves an "aye" vote.

Mr. SWETT. Mr. Chairman, I yield 1 minute to the gentleman from Delaware [Mr. CARPER].

Mr. CARPER. Mr. Chairman, I thank the gentleman for yielding time to me.

I want to commend him and the gentleman from Wisconsin [Mr. KLUG] for offering this amendment today.

This is not, I guess, in the whole scope of things, an enormous amount of money, roughly \$7 million. And added to the \$20 million, to which this

bill comes to us today, below 1992 spending, it is certainly another step in the right direction.

The bill amounts to a rescission, a rescission. And we may recall under current law, the President, when he signs an appropriations bill, can send a rescission message to the Congress. And after 45 days, if we have not taken action on that rescission, the rescission effectively goes away.

There are some of us who believe that the Congress should be compelled to vote on Presidential rescissions, to be able to defeat them with a simple majority, but that we would have to vote on that rescission.

This, in effect, is an attempt to do something along those lines. I commend the gentleman from New Hampshire [Mr. SWETT] for his inviting us to take that step, and my hope is that maybe we will consider taking a bolder step and to consider the way we have written the 1974 Budget Act, which requires us to vote on all Presidential rescissions.

Mr. KLUG. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. STEARNS], who led the fight to try to do this last year.

Mr. STEARNS. Mr. Chairman, I want to thank the gentleman for yielding time to me.

It is a pleasure to rise in support of the amendment offered by the gentleman from New Hampshire and the gentleman from Wisconsin. I would like to point out that this amendment is quite similar to the amendment offered by the gentleman from Pennsylvania [Mr. SANTORUM] last year. This amendment will rescind a total of \$6.8 million from the funds appropriated for our salaries and expense accounts. I support this amendment because it has been a longtime coming.

The House leadership had made a practice of transferring unspent moneys into various accounts without the approval or even awareness of other members.

This amendment demonstrates a willingness by this body to move toward increased openness and accountability. The House leadership deserves praise for admitting the existence of discretionary funds and helping target those funds toward deficit reduction.

Mr. Chairman, in the past many members thought amendments like this were not important to the American people—that they were overlooked.

Well, in my district that is not so. Just last April a letter appeared in the Gainesville Sun from a gentleman calling for the elimination of discretionary funds in the U.S. House of Representatives. He believed the House should lead the deficit reduction charge by example.

The vote on this amendment will send a message to the American people about both the House and their individual representative.

A "yes" vote tells them the House will operate itself openly and honestly. A "no" vote signals a return the secrecy and deception of years past.

Again, I praise the House leadership for allowing this important amendment offered by the gentleman from New Hampshire and the gentleman from Wisconsin to the floor.

Mr. Chairman, I strongly urge my colleagues to support it.

Mr. KLUG. Mr. Chairman, I yield 2 minutes to my fellow freshman classmate, the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Mr. Chairman, I thank the gentleman for yielding time to me. I compliment his efforts and those of the gentleman from New Hampshire [Mr. SWETT].

I think this is a very, very important amendment because it puts the House on record as being serious about eliminating the practice of reprogramming unexpended funds. It establishes a precedent for, actually an incentive for the House itself to conserve and to spend the taxpayer dollar wisely.

Until the present and until this amendment there has been no incentive for Members of the House to underexpend their authorized budget because in reality, when that occurred, and that is the situation for a goodly number of Members of Congress, those funds, rather than being returned to the Treasury or, in this instance, with this amendment, rather than going directly toward deficit reduction, went instead into a slush fund or a contingency fund controlled by a handful of Members of the House, the entrenched Democratic leadership, for spending as they saw fit.

So I compliment the authors of this amendment. It is a very important and timely one. Furthermore, it sets a good example of belt tightening for the American public as we enter into the coming debate on how to balance the Federal budget and how to bring Federal outlays, Federal Government outlays into line with Federal revenues.

Mr. SWETT. Mr. Chairman, I yield the remaining 7 minutes to the gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Chairman, I thank the gentleman for yielding time to me.

I simply want to say with this rescission we will be, as I think some have already said, completely eliminating all the carryover funds from the 1991 fiscal year that have not been legally obligated. We are taking every penny, every "Tim Penny," down to the end.

The additional rescission, however, should be added to the amount that was already cut in this bill. So in addition to the \$19.9 million, which the committee has reduced below the fiscal 1992 level, we will now be adding an additional, \$6.8 million, bringing the total to \$26.6 million below the current year. And therefore, adding to the amount we had already cut in this bill,

we will now be reducing this bill by 1.5 percent in budget authority. And we anticipate, based on the way in which rescissions have been scored by CBO and OMB, an overall reduction in 6.1 percent of actual outlays, well over the budget resolution assumption.

I simply wanted to say, however, that there have been a number of comments about slush funds and nefarious activity in the process of reprogramming and also some concerns expressed that if Members underfund their allowances, Member allowances for staff or clerk hire or for office expenses or for postage, that somehow that money is not being saved and is, therefore, being made available to powerful entrenched leaders of Congress.

I think it is important to say this. We estimate that there will be many Members who do not utilize all their office accounts. The gentleman from Kentucky [Mr. NATCHER], our friend over here, the acting chairman of the committee, has a reputation for diligence and prudence in the way he handles his office account. He is but one example of a person that allows us to authorize at one level and then in this committee appropriate at a much lower level all of these accounts because we fully appreciate that Members will not fully expend all that they are allowed to expend.

So to the degree that Members choose not to spend their clerk hire, it remains in the Treasury. It never comes to Congress. It is never drawn down upon. So the difference between what we are allowed to spend and what we do spend is calculated across the board, not on an office-by-office basis.

We do not line item Members' offices in the bill. We aggregate all the offices. So I want to assure the Members who have not spent all their funds that they have contributed to allowing large sums of money to remain in the Treasury, not to come here to be reprogrammed in some manner.

The reason this issue has become visible is because in 1991 and 1992, we had no-year funding. To be blunt, the reason no-year funding was included for things other than capital outlay, which is normally the case, even in this bill, is because we had a very difficult time with our postage. Members were voting to cut postage on the floor, knowing full-well that those amendments had no effect and Members continued to mail.

Some of the greatest mailers were the first to vote to cut on the floor. So what we did was provide flexibility, which now that we have a cap on how much Members can spend on mail, is no longer necessary.

The gentleman from Pennsylvania [Mr. SANTORUM] mentioned the 1992 bill. That will be the last bill in which these kinds of accounts continue to have no-year funding in them. And we will be just as diligent to rescind

money we do not need in 1992 as we have been in 1991. But the reprogramming process, which the gentleman from California [Mr. LEWIS] and I work together on in a bipartisan way, which we had, by the way, placed in the RECORD and talked about on the floor so that there are no questions as to the validity of those requests and the way we have responded to them, will continue when appropriate, when it appears that we will unfortunately be short in some area where we misestimated.

□ 1520

I can remember a few years ago in the first year of the FERS retirement system, we had many new employees who went into that program, and the formula given to us by the administration was flawed. That generated additional funds. We reprogrammed those funds to telecommunications, made purchases of switches and telephone equipment which since then has saved us tens of millions of dollars.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. FAZIO. I am happy to yield to my friend, the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I appreciate the gentleman yielding to me.

Mr. Chairman, I must say that it is important to point out the fact, the reality, that there is a tendency to focus on this bill, and I have described it as self-flagellation, and it is a reality that some of those individuals, not all but some of those individuals who are here quickest to cut by way of amendment are the very individuals who spend every dime in their account.

Having said that, we have begun a very important process here, for we are saving millions of dollars by way of this amendment. We have a very tight bill to begin with, and one of our former esteemed colleagues was heard to say that "a dollar here, a dollar there, \$1 million here, \$1 million there, adds up to a lot of money eventually."

Mr. FAZIO. I appreciate the gentleman's comments. I would simply say to those who appeared in the well today, I welcome their in-depth appreciation of this bill. There are so many through the years who have been so critical without half the information. Sometimes a little bit of knowledge can often be misused, and I am hopeful that Members who now have a greater understanding of this process would admit that there has been no nefarious activity here, nothing done that would be, by any Member's estimate, an inappropriate reprogramming.

While I said earlier that the administration is very often held to a much looser standard in this regard, I will continue to work with my colleague, the gentleman from California [Mr. LEWIS]. There will never be a day in

which we have a reprogramming which cannot be agreed to on both sides of the aisle. If it cannot be agreed to, we will bring it to the floor and have the Members vote on it. It is the only way for us to proceed. It is a practical and I think a time-honored way to do that.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. FAZIO. Yes, I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I noticed when I went through the reprogramming account that the gentleman published in the RECORD the other day that it was \$314,000 that was spent to remodel the former Document Room for I think his Steering and Policy Committee.

I would ask the gentleman, who made the decision that \$314,000 should be used for that purpose?

Mr. FAZIO. The decision is made by the Architect of the Capitol and submitted to the committee. The gentleman from California [Mr. LEWIS] and I review the recommendations of the Architect when it falls into the purview of the Architect of the Capitol.

Mr. WALKER. So the gentleman from California [Mr. FAZIO] and the gentleman from California [Mr. LEWIS] signed off for the House on that particular project, is that right?

Mr. FAZIO. That is correct, after, I must say, some lengthy discussion, and I know in the case of the gentleman from California [Mr. LEWIS], some concrete conversation with the gentleman from Illinois [Mr. MICHEL]. I have some additional remarks which I will insert here that provide additional classification.

THERE IS NO SLUSH FUND

Mr. Chairman, about this time each year, and every other year at election time, we begin hearing about a so-called slush fund—or a Speaker's slush fund. Well, there is no slush fund—not in this bill—nor elsewhere that I know of in the House of Representatives.

One of the common descriptions of this mystical allegation goes like this:

A Member's current clerk hire allowance is \$537,480. If the Member does not pay all that out in salaries, then some say the unused funds go into the "Speaker's slush fund." That's pure rhetoric, of course, and it is just not the case.

In the first place, we do not appropriate sufficient funds for all Members to spend the clerk-hire allowance, including the transfers they are allowed to make. If we did, we would have to appropriate \$276.1 million into that account.

But this bill only appropriates \$228.3 million for that purpose. That's because we know many Members will not spend their full allowances. We have many frugal Members, and the committee does not believe in full funding any account. We only fund what we believe is necessary.

So we have saved \$48 million.

That \$48 million is not in a slush fund. We did not appropriate it. It doesn't transfer into the drawing account at the Treasury. Those Members who do not spend their ceilings can correctly say that they are saving real dollars. They are entitled to use the maximum allocation, but choose not to.

If we didn't appropriate it, it can't be spent—that's the law. So the Speaker—the leader—the whip—the Clerk—the doorkeeper—cannot spend it.

Now let me refer to a related matter, because it is part of the misunderstanding.

There are areas within the bill where the committee retains authority to transfer funds from areas where a surplus may exist to an area where a deficit may occur because of unforeseen circumstances or because of an underestimated requirement.

That is prudent fiscal management. There is nothing sinister—or underhanded—or even unusual about this practice. This reprogramming tool is practiced in every agency of the Government and in every corporation in America. It is good business sense to allow some flexibility in a budget plan and to provide a procedure for making that flexibility as efficient as possible.

For example, in fiscal year 1990, the House Postmaster was beginning to run a backlog in delivering mail to Members' offices—many of you remember that.

Well, the committee used the transfer authority to add \$44,000 to the Postmaster for overtime and additional help. Later on we provided emergency funds to hire 40 temporary mail handlers to alleviate the problem.

Back in 1987, we transferred \$12 million—that's by far the largest transfer that we have ever approved other than one in 1989 because of an accounting change—from the employee benefit account to our telephone payment account. We had the surplus because that was the first full year of the new FERS retirement program and the formula given to us by OPM to use in figuring the funding need, produced an amount that was much larger than the actual cost.

The \$12 million telephone payment was for two new switches and to purchase new telephone instruments. And because of that investment, we have saved tens of millions of dollars. That was a wise reallocation of savings.

This year, we have transferred from savings the funds necessary to pay for the increased salaries made possible by the \$50,000 increase in clerk-hire authorization.

We have published every transfer we have made since 1987 in the CONGRESSIONAL RECORD, or in hearings, and released the details to the press.

These are normal funding shifts within a salary and expense appropriation.

They are legal, they are prudent and necessary, and they facilitate the operations of the House.

Finally, Mr. Chairman, there is one other area that may impinge on this discussion. I don't want to belabor the point, but I do want to lay out the facts and put this misleading and persistent slush fund fairy tale to rest.

We have a line item in this bill: Supplies, materials, administrative costs, and Federal tort claims within the account for allowances and expenses. That account totals about \$19.1 million. The kinds of items charged against that account are centralized telephone services, computer costs, office supplies, wall calendars, and so forth. These are expense items for the House in general, our administrative offices, committees, leadership offices, and so forth. There are procedures in place that are followed to ensure that every expenditure from this account is authorized—is legal—and is cost-effective. The Committee on House Administration is the watchdog of this account. And they are our housekeeping agency. I don't see how anyone could justly criticize the necessity to have that type of account for an organization of over 11,000 people, with many offices in all 50 States, and with an annual budget of over \$704 million.

There is no slush fund. There is prudent flexibility—and appropriate management oversight.

RETURNING UNUSED FUNDS

I think each Member who does not spend the allowance for clerk salaries or the allowance for office expenses is perfectly entitled to say those funds were saved.

If a Member spends up to the allowance limit for that Member, those expenditures would have to be charged against an appropriation account and the Treasury would issue a check to cover the expenditures made under the allowance.

If the full allowance is not spent, the funds are "saved" in the sense they do not have to be charged against any spending authority in the U.S. Treasury.

No matter how you look at it, if the Member does not spend all the allowance—there are savings to that extent. And the Member is entitled to make that claim.

There is some confusion here between these clerk hire and office expense allowances and the appropriations authority which is necessary to allow the U.S. Treasury to issue payment on an expenditure from the allowance.

It is the House Administration Committee that sets the allowance.

It is the legislative appropriations bill that actually enacts legal authority for the Treasury to issue checks for legal obligations against these allowances.

Let me take a simple example to illustrate the point.

The House Administration Committee sets an allowance of \$100 for Member X.

The appropriations bill does not contain an amount designated for Member X. Instead we have estimated overall what all Members will consume under that allowance.

Because the Appropriations Committee knows the average Member X, or Y, or Z, will probably not spend the entire \$100—the average Member is frugal—we will only put an average for each Member of \$90 in the appropriations bill in total for clerk hire.

Now, we have not reduced the allowance—Member X can still spend the \$100—that is the legal allowance.

The Appropriations Committee thinks only \$90 will be spent.

If Member X spends \$90—that Member can certainly claim to have saved \$10. But no money can be returned, because the \$10 is not appropriated.

If the Member spends only \$80—then \$10 is saved in the appropriations bill and \$20 is saved from the allowance.

That Member can claim a savings to the Treasury of \$20—because that certainly was the allowance—\$20 more than spent.

But we can't turn back that \$20. We never appropriated it to begin with. We do have \$10 more than what we estimated would be spent.

But there is another consideration here.

Under the rules of the House Administration Committee, Member X can transfer that \$20, or \$10, or \$5 or whatever is left over from the clerk-hire allowance to the office expense allowance—for more office supplies, district office rent, telephone charges, computer equipment, and the like.

If that happens and, just as we underfund the clerk-hire allowance, the appropriations bill had only provided \$90 for the office account appropriations, that appropriation is now underfunded by whatever amount the Member transferred from the clerk-hire account.

If Member X transfers the entire \$20, we are now short \$30 in the appropriation provided for official expenses of members—the \$100 allowance plus the \$20 transfer less the \$90 on average we appropriate for the office accounts of all Members.

So the \$10 the Member did not spend under the amount appropriated is needed to transfer to the office account allowance, under the committee's transfer authority, and now we are still \$20 short in that account because we now need a total of \$120 to pay member X's office allowance entitlement. That shortage will probably be made up by other Members who may underspend their office accounts, or the committee will have to find savings in other House accounts to transfer into this account, or the House Administration Committee will have to reduce the allowance.

I know this is a complex accounting procedure—and one which is not well understood. But it is one that facilitates the administration of House accounts.

The bottom line is that Member X can justifiably claim a savings if the allowance is not spent out.

That money cannot be turned back specifically because it may be needed if there is a net transfer by Members out of the clerk-hire allowances to office expenses or the mail allowance—and we never appropriate the full amount of the allowance anyway.

To the extent there is money left over in the overall clerk-hire appropriation or the office account appropriation at the conclusion of the fiscal year's accounting—that money will lapse. It will stay in the Treasury and be used for general deficit reduction.

Mr. DORGAN of North Dakota. Mr. Chairman, I rise today in support of the amendment offered by Mr. SWETT, myself, and others. In each of the appropriations bills to reach the floor this session, I have supported reasonable reductions in spending. I believe the bill setting spending levels for our own operations in Congress should not be exempt from this same scrutiny. All this amendment proposes is that \$6.8 million in unspent money be returned to the Treasury rather than carried over into future budgets.

The general approach of formulating budgets in this town has been to take last year's budget, increase it by some factor and assume this as the new baseline. We often speak of cuts when we have only slowed the rate of increase. We have had a model of infinite growth and unlimited resources for the budget. When the economy is not growing, this model just doesn't work. Accordingly, we must adjust our approach to reflect this reality. One way to do this is by cutting Federal overhead costs.

It's important to understand the context in which this appropriations bill was developed. Between 1979 and 1989 these changes in Federal employment took place: executive branch employment has increased by 8 percent, judicial branch employment increased by 69 percent, while legislative branch employment decreased by 5 percent.

At these levels, cutting the legislative branch payroll in half would save as much as cutting the executive branch by less than 1 percent. But this doesn't excuse us from dealing with the issue of spending in the legislative branch.

Passage of the amendment offered by Mr. SWETT, myself, Mrs. BOXER, Mr. PENNY, Mr. GLICKMAN and Mr. KLUG will bring funding in this bill to more than 6 percent under last year's level and 14 percent under the Presidents' budget request. That's responsible budgeting and a model for other appropriations bills we will consider.

My intent is not to throw stones or otherwise disparage the work or the fine staff people doing the work here on Capitol Hill. What I am doing is taking a stand to try to change the road we are on. It does mean that there

should be few sacred cows in discussing how to get the deficit under control—and that includes our own house.

If this money hasn't been needed before, we should do the right thing and return it to the Treasury for reconsideration in light of other priorities, and there certainly are plenty of other needs. We expect to deobligate about \$150 million in unspent funds in the foreign operations appropriations bill. We should do likewise with our own funding bill. This approach is part of an overall effort, as recommended by the Democratic Caucus Task Force on Government Waste, to cut overhead costs.

"Hard choices and tough decisions" are phrases heard often on the Hill these days. This is another one, but not the last. I urge you to support this amendment.

The CHAIRMAN. All time for debate on the amendment has expired. The question is on the amendment offered by the gentleman from New Hampshire [Mr. SWETT].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SWETT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 426, noes 0, not voting 8, as follows:

[Roll No. 225]

AYES—426

Abercrombie	Bustamante	Dornan (CA)	Goss	McCloskey	Rowland
Ackerman	Byron	Downey	Gradison	McCollum	Roybal
Alexander	Callahan	Dreier	Grandy	McCrery	Russo
Allard	Camp	Duncan	Green	McCurdy	Sabo
Allen	Campbell (CA)	Durbin	Guarini	McDade	Sanders
Anderson	Campbell (CO)	Dwyer	Gundersen	McDermott	Sangmeister
Andrews (ME)	Cardin	Dymally	Hall (OH)	McEwen	Santorum
Andrews (NJ)	Carper	Early	Hall (TX)	McGrath	Sarpalius
Andrews (TX)	Carr	Eckart	Hamilton	McHugh	Savage
Annuzio	Chandler	Edwards (CA)	Hammerschmidt	McMillan (NC)	Sawyer
Anthony	Chapman	Edwards (OK)	Hancock	McMillan (MD)	Saxton
Applegate	Clay	Edwards (TX)	Hansen	Meyers	Schaefer
Archer	Clement	Emerson	Harris	Mfume	Scheuer
Armey	Clinger	Engel	Hastert	Michel	Schiff
Aspin	Coble	English	Hatcher	Miller (CA)	Schroeder
Atkins	Coleman (MO)	Erdreich	Hayes (IL)	Miller (OH)	Schulze
AuCoin	Coleman (TX)	Espy	Hayes (LA)	Miller (WA)	Sensenbrenner
Bacchus	Collins (IL)	Evans	Hefley	Mineta	Serrano
Baker	Collins (MI)	Ewing	Henry	Mink	Sharp
Ballenger	Combest	Fascell	Henger	Moakley	Shaw
Barnard	Condit	Fawell	Hertel	Mollinari	Shays
Barrett	Conyers	Fazio	Hoagland	Mollohan	Shuster
Barton	Cooper	Feighan	Hobson	Molloy	Sikorski
Bateman	Costello	Fields	Hochbrueckner	Montgomery	Sisk
Beilenson	Coughlin	Fish	Holloway	Moorhead	Skeel
Bennett	Cox (CA)	Flake	Hopkins	Moran	Skellton
Bentley	Cox (IL)	Foglietta	Horn	Morella	Slattery
Bereuter	Coyne	Ford (MI)	Horton	Morrison	Slaughter
Berman	Cramer	Ford (TN)	Houghton	Murphy	Smith (FL)
Bevill	Crane	Frank (MA)	Hoyer	Murtha	Smith (IA)
Bilbray	Cunningham	Franks (CT)	Hubbard	Myers	Smith (NJ)
Bilirakis	Dannemeyer	Frost	Huckaby	Nagle	Smith (OR)
Blackwell	Darden	Gallely	Hughes	Natcher	Smith (TX)
Bliley	Davis	Gallo	Hunter	Neal (MA)	Snowe
Boehlert	de la Garza	Gaydos	Hutto	Neal (NC)	Solarz
Boehner	DeFazio	Gejdenson	Hyde	Nichols	Solomon
Borski	DeLauro	Gekas	Inhofe	Nowak	Spence
Boucher	DeLay	Gephardt	Ireland	Nussle	Spratt
Boxer	Dellums	Geren	Jacobson	Oakar	Staggers
Brewster	Derrick	Gibbons	James	Oberstar	Stallings
Brooks	Dickinson	Gilchrist	Jefferson	Obeys	Stark
Broomfield	Dicks	Gillmor	Jenkins	Olin	Stearns
Browder	Dingell	Gilman	Johnson (CT)	Oliver	Stenholm
Brown	Dixon	Gingrich	Johnson (SD)	Ortiz	Stokes
Bruce	Donnelly	Glickman	Johnson (TX)	Orton	Studds
Bryant	Dooley	Gonzalez	Johnston	Owens (NY)	Stump
Bunning	Doolittle	Goodling	Jones (NC)	Owens (UT)	Sundquist
Burton	Dorgan (ND)	Gordon	Jontz	Oxley	Swett
			Kanjorski	Packard	Swift
			Kaptur	Pallone	Synar
			Kasich	Panetta	Tallon
			Kennedy	Parker	Tanner
			Kennelly	Pastor	Tauzin
			Kildee	Patterson	Taylor (MS)
			Kleczka	Paxon	Taylor (NC)
			Klug	Payne (NJ)	Thomas (CA)
			Kolbe	Payne (VA)	Thomas (GA)
			Kolter	Pease	Thomas (WY)
			Kopetski	Pelosi	Thornton
			Kostmayer	Penny	Torres
			Kyl	Perkins	Torricelli
			LaFalce	Peterson (FL)	Towns
			Lagomarsino	Peterson (MN)	Trafficant
			Lancaster	Petri	Unsoeld
			Lantos	Pickett	Upton
			LaRocco	Pickle	Valentine
			Laughlin	Porter	Vander Jagt
			Leach	Poshard	Vento
			Lehman (CA)	Price	Visclosky
			Lehman (FL)	Pursell	Volkmer
			Lent	Quillen	Vucanovich
			Levin (MI)	Rahall	Walker
			Levine (CA)	Ramstad	Walsh
			Lewis (CA)	Rangel	Waters
			Lewis (FL)	Ravenel	Waxman
			Lewis (GA)	Ray	Weber
			Lightfoot	Reed	Weiss
			Lipinski	Regula	Weldon
			Livingston	Rhodes	Wheat
			Lloyd	Richardson	Whitten
			Long	Ridge	Williams
			Lowery (CA)	Riggs	Wilson
			Lowery (NY)	Rinaldo	Wise
			Lukens	Ritter	Wolf
			Machtley	Roberts	Wolpe
			Manton	Roe	Wyden
			Markey	Roemer	Wyllie
			Marlenee	Rogers	Yates
			Martin	Rohrabacher	Yatron
			Martinez	Ros-Lehtinen	Young (AK)
			Matsui	Rose	Young (FL)
			Mavroules	Rostenkowski	Zelliff
			Mazzoli	Roth	Zimmer
			McCandless	Roukema	

NOES—0
NOT VOTING—8

Bonior	McNulty	Traxler
Hefner	Mrazek	Washington
Jones (GA)	Schumer	

□ 1544

Messrs. GINGRICH, MORRISON, SMITH of Florida, LEWIS of Georgia, SAVAGE, and HAYES of Illinois changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The next amendment in order will be offered by the gentleman from Kansas [Mr. ROBERTS].

AMENDMENT OFFERED BY MR. ROBERTS

Mr. ROBERTS. Mr. Chairman, as provided by the rule, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBERTS: Page 2, strike out line 3 through line 5.

Mr. ROBERTS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The CHAIRMAN. Under the rule, the gentleman from Kansas will be recognized for 10 minutes, and a Member in opposition will be recognized for 10 minutes.

The Chair recognizes the gentleman from Kansas [Mr. ROBERTS].

Mr. ROBERTS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as provided by the rule, I have an amendment to strike all funding, \$210,000 for the mileage for Members account.

As I described this amendment yesterday in the Rules Committee, I view this as a simple housekeeping provision. One I wish Chairman FAZIO and Congressman LEWIS could accept without a vote.

The mileage for Members account was created in the 1800's when the House of Representatives was more a citizens body. Members were not full-time "professional" representatives of their congressional districts, rather part-time legislators. The sessions of Congress were much shorter and representatives held full-time professional positions and occupations outside of Congress.

The mileage for Members' allowance was set up to pay individuals by the mile they traveled to come at the beginning of a session and again at the end of the session. Members commonly did not travel back and forth to the district during the session and this payment based upon miles was considered fair since traveling was much slower—for some it would take days to return home.

The mileage for Members account has remained and has allowed Members

distant from their congressional districts to obtain a windfall on their travel to and from the district at the beginning and end of a session. The payment by mileage has become outdated with air travel and the creation of an official expense allowance [OEA] account for Members office operation. The OEA pays for official travel that occurs throughout the year. It is based upon the cost of the ticket/travel—not a mileage payment. This "true cost" reimbursement is more accurate and does not create a reimbursement in excess of what the Member actually paid to return home.

I am supportive of any system to repay Members for their actual travel costs. However, this account still allows Members to be paid beyond their expenses.

I would urge my colleagues to assist me in simply ending this outdated and confusing system for repayment.

□ 1550

Mr. FAZIO. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I am delighted to yield to the gentleman from California.

Mr. FAZIO. Mr. Chairman, I want to express my appreciation to the gentleman from breaking with tradition and asking that this amendment be included. I certainly want to associate myself with the remarks the gentleman has made.

This has been the law since 1866. It is totally unnecessary and antiquated for Members to travel back and forth during the intervening years.

Mr. Chairman, I am in support of the amendment.

Mr. ROBERTS. Mr. Chairman, I thank the gentleman, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. ROBERTS].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, \$704,409,000, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, \$5,561,000, including: Office of the Speaker, \$1,383,000, including \$25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, \$994,000, including \$10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, \$1,348,000, including \$10,000 for official expenses of the Minority Leader; Office of the Majority Whip, \$1,095,000, including \$5,000 for official expenses of the Majority Whip and not to exceed \$405,830, for the Chief Deputy Majority Whip; and Office of the Minority Whip, \$741,000, including \$5,000 for official expenses of the Minority Whip and not to exceed \$97,330, for the Chief Deputy Minority Whip.

MEMBERS' CLERK HIRE

For staff employed by each Member in the discharge of official and representative duties, \$228,313,000.

COMMITTEE EMPLOYEES

For professional and clerical employees of standing committees, including the Commit-

tee on Appropriations and the Committee on the Budget, \$70,950,000.

COMMITTEE ON THE BUDGET (STUDIES)

For salaries, expenses, and studies by the Committee on the Budget, and temporary personal services for such committee to be expended in accordance with sections 101(c), 606, 703, and 901(e) of the Congressional Budget Act of 1974, and to be available for reimbursement to agencies for services performed, \$389,000.

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by the House, \$57,900,000.

COMMITTEE ON HOUSE ADMINISTRATION

HOUSE INFORMATION SYSTEMS

For salaries, expenses and temporary personal services of House Information Systems, under the direction of the Committee on House Administration, \$22,885,000, of which \$8,139,000 is provided herein: *Provided*, That House Information Systems is authorized to receive reimbursement for services provided from Members and Officers of the House of Representatives and other Governmental entities and such reimbursement shall be deposited in the Treasury for credit to this account: *Provided further*, That amounts so credited for fiscal year 1992 and not obligated shall be available for obligation in fiscal year 1993.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, \$222,737,000, including: Official Expenses of Members, \$78,545,000; supplies, materials, administrative costs and Federal tort claims, \$19,116,000; net expenses of purchase, lease and maintenance of office equipment, \$4,427,000; furniture and furnishings, \$1,720,000; stenographic reporting of committee hearings, \$1,055,000; reemployed annuitants reimbursements, \$1,039,000; Government contributions to employees' life insurance fund, retirement funds, Social Security fund, Medicare fund, health benefits fund, and worker's and unemployment compensation, \$116,203,000; and miscellaneous items including, but not limited to, purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, \$632,000.

CHILD CARE CENTER

For salaries and expenses of the House of Representatives Child Care Center, such amounts as are deposited in the account established by section 312(d)(1) of the Legislative Branch Appropriations Act, 1992 (40 U.S.C. 184g(d)(1)), subject to the level specified in the budget of the Center, as submitted to the Committee on Appropriations of the House of Representatives.

COMMITTEE ON APPROPRIATIONS (STUDIES AND INVESTIGATIONS)

For salaries and expenses, studies and examinations of executive agencies, by the Committee on Appropriations, and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act, 1946, and to be available for reimbursement to agencies for services performed, \$6,631,000.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the House of Representatives, as authorized by law, \$53,011,000.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law,

\$50,778,000, including: Office of the Clerk, including not to exceed \$1,000 for official representation and reception expenses, \$22,354,000; Office of the Sergeant at Arms, including not to exceed \$500 for official representation and reception expenses, \$1,369,000; Office of the Doorkeeper, including overtime, as authorized by law, \$10,750,000; Office of the Postmaster, \$4,079,000; Office of the Chaplain, \$123,000; Office of the Parliamentarian, including the Parliamentarian and \$2,000 for preparing the Digest of Rules, \$854,000; for salaries and expenses of the Office of the Historian, \$310,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, \$1,403,000; for salaries and expenses of the Office of the Legislative Counsel of the House, \$4,155,000; six minority employees, \$735,000; the House Democratic Steering and Policy Committee and the Democratic Caucus, \$1,461,000; the House Republican Conference, \$1,461,000; and other authorized employees, \$1,724,000.

ADMINISTRATIVE PROVISIONS

SEC. 101. (a) Amounts appropriated for any fiscal year for the House of Representatives under the heading "ALLOWANCES AND EXPENSES" may be transferred among the various categories of allowances and expenses under such heading, upon approval of the Committee on Appropriations of the House of Representatives.

(b) Amounts appropriated for any fiscal year for the House of Representatives under the heading "SALARIES, OFFICERS AND EMPLOYEES" may be transferred among the various offices and activities under such heading, upon approval of the Committee on Appropriations of the House of Representatives.

(c)(1) Amounts appropriated for any fiscal year for the House of Representatives under the headings specified in paragraph (2) may be transferred among such headings, upon approval of the Committee on Appropriations of the House of Representatives.

(2) The headings referred to in paragraph (1) are "HOUSE LEADERSHIP OFFICES", "MEMBERS' CLERK HIRE", "COMMITTEE EMPLOYEES", "STANDING COMMITTEES, SPECIAL AND SELECT", "HOUSE INFORMATION SYSTEMS", "ALLOWANCES AND EXPENSES", "OFFICIAL MAIL COSTS", and "SALARIES, OFFICERS AND EMPLOYEES".

SEC. 102. The provisions of H. Res. 199, approved April 1, 1991, establishing 114 civilian support positions for the Capitol Police with respect to the House of Representatives, shall be the permanent law with respect thereto.

SEC. 103. (a) Upon the transfer of any function to the Director of Non-legislative and Financial Services or the Office of General Counsel by reason of the House Administrative Reform Resolution of 1992, and upon the commencement of operation of the Office of Inspector General, the applicable amounts appropriated by the Legislative Branch Appropriations Act, 1992, or by this Act for the purposes specified in subsection (b) shall be available to the Director, the Office of General Counsel, and the Office of Inspector General for the carrying out of such function or operation, upon the approval of the Committee on Appropriations of the House of Representatives.

(b) The purposes referred to in subsection (a) are (1) salaries and expenses of the House of Representatives under the headings "ALLOWANCES AND EXPENSES" and "SALARIES, OFFICERS AND EMPLOYEES", and (2) joint items under the heading "CAPITOL GUIDE SERVICE".

SEC. 104. (a) There is established a sub-account in the appropriation account for salaries and expenses of the House of Represent-

atives for the deposit of fees received from Members and officers of the House of Representatives for services provided to such Members and officers by the Office of the Attending Physician. The amounts so deposited shall be available, subject to appropriation, for the operations of the Office of the Attending Physician.

(b) This section shall take effect at the beginning of the first month after the month in which this Act is enacted.

JOINT ITEMS

For joint committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, \$4,020,000.

JOINT COMMITTEE ON PRINTING

For salaries and expenses of the Joint Committee on Printing, \$1,391,000.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, \$5,759,000, to be disbursed by the Clerk of the House.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including (1) an allowance of \$1,500 per month to the Attending Physician; (2) an allowance of \$500 per month each to two medical officers while on duty in the Attending Physician's office; (3) an allowance of \$500 per month each to two assistants and \$400 per month each to not to exceed nine assistants on the basis heretofore provided for such assistance; and (4) \$973,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, \$1,509,000, to be disbursed by the Clerk of the House.

CAPITOL POLICE BOARD

CAPITOL POLICE

SALARIES

For the Capitol Police Board for salaries, including overtime, and Government contributions to employees' benefits funds, as authorized by law, of officers, members, and employees of the Capitol Police, \$62,852,000, of which \$31,000,500 is provided to the Sergeant at Arms of the House of Representatives, to be disbursed by the Clerk of the House, and \$31,851,500 is provided to the Sergeant at Arms and Doorkeeper of the Senate, to be disbursed by the Secretary of the Senate.

GENERAL EXPENSES

For the Capitol Police Board for necessary expenses of the Capitol Police, including purchasing and supplying uniforms; the purchase, maintenance, and repair of police vehicles, including two-way police radio equipment; and contingent expenses, including advance payment for travel for training, protective details, and tuition and registration, expenses associated with the implementation of the Capitol Police Employee Assistance Program, including but not limited to professional referrals, and expenses associated with the awards program not to exceed \$2,000, expenses associated with the relocation of instructor/liaison personnel to and from the Federal Law Enforcement Training Center as approved by the Chairman of the

Capitol Police Board, and including \$85 per month for extra services performed for the Capitol Police Board by such member of the staff of the Sergeant at Arms of the Senate or the House as may be designated by the Chairman of the Board, \$2,029,000, to be disbursed by the Clerk of the House: *Provided*, That the funds used to maintain the petty cash fund referred to as "Petty Cash II" which is to provide for the prevention and detection of crime shall not exceed \$4,000: *Provided further*, That the funds used to maintain the petty cash fund referred to as "Petty Cash III" which is to provide for the advance of travel expenses attendant to protective assignments shall not exceed \$4,000: *Provided further*, That, notwithstanding any other provision of law, the cost involved in providing basic training for members of the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 1993 shall be paid by the Secretary of the Treasury from funds available to the Treasury Department.

ADMINISTRATIVE PROVISION

SEC. 105. Of the amounts appropriated for fiscal year 1993 for "Capitol Police Board", "Capitol Police," such amounts as may be necessary may be transferred between the headings "Salaries", and "General expenses", upon approval of the Committees on Appropriations of the Senate and House of Representatives.

CAPITOL GUIDE SERVICE

For salaries and expenses of the Capitol Guide Service, \$1,644,000, to be disbursed by the Secretary of the Senate: *Provided*, That none of these funds shall be used to employ more than thirty-three individuals: *Provided further*, That the Capitol Guide Board is authorized, during emergencies, to employ not more than two additional individuals for not more than one hundred twenty days each, and not more than ten additional individuals for not more than six months each, for the Capitol Guide Service.

SPECIAL SERVICES OFFICE

For salaries and expenses of the Special Services Office, \$292,000, to be disbursed by the Secretary of the Senate.

OFFICE OF TECHNOLOGY ASSESSMENT

SALARIES AND EXPENSES

For salaries and expenses necessary to carry out the provisions of the Technology Assessment Act of 1972 (Public Law 92-484), including official reception and representation expenses (not to exceed \$3,500 from the Trust Fund), and expenses incurred in administering an employee incentive awards program (not to exceed \$1,800), rental of space in the District of Columbia, and those expenses necessary to carry out the duties of the Director of the Office of Technology Assessment under 42 U.S.C. 1395ww, and 42 U.S.C. 1395w-1, \$21,025,000: *Provided*, That none of the funds in this Act shall be available for salaries or expenses of any employee of the Office of Technology Assessment in excess of 143 staff employees: *Provided further*, That no part of this appropriation shall be available for assessments or activities not initiated and approved in accordance with section 3(d) of Public Law 92-484, except that funds shall be available for the assessment required by Public Law 96-151: *Provided further*, That none of the funds in this Act shall be available for salaries or expenses of employees of the Office of Technology Assessment in connection with any reimbursable study for which funds are provided from sources other than appropriations made under this Act, or shall be available for any

other administrative expenses incurred by the Office of Technology Assessment in carrying out such a study.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary to carry out the provisions of the Congressional Budget Act of 1974 (Public Law 93-344), including not to exceed \$2,500 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, \$22,542,000: *Provided*, That none of these funds shall be available for the purchase or hire of a passenger motor vehicle: *Provided further*, That none of the funds in this Act shall be available for salaries or expenses of any employee of the Congressional Budget Office in excess of 226 staff employees: *Provided further*, That any sale or lease of property, supplies, or services to the Congressional Budget Office shall be deemed to be a sale or lease of such property, supplies, or services to the Congress subject to section 903 of Public Law 98-63.

ARCHITECT OF THE CAPITOL

OFFICE OF THE ARCHITECT OF THE CAPITOL SALARIES

For the Architect of the Capitol; the Assistant Architect of the Capitol; and other personal services; at rates of pay provided by law, \$8,286,000.

TRAVEL

Appropriations under the control of the Architect of the Capitol shall be available for expenses of travel on official business not to exceed in the aggregate under all funds the sum of \$50,000.

CONTINGENT EXPENSES

To enable the Architect of the Capitol to make surveys and studies, and to meet unforeseen expenses in connection with activities under his care, \$100,000, which shall remain available until expended.

CAPITOL BUILDINGS AND GROUNDS

CAPITOL BUILDINGS

For all necessary expenses for the maintenance, care and operation of the Capitol Building and electrical substations of the Senate and House Office Buildings, under the jurisdiction of the Architect of the Capitol, including furnishings and office equipment; including not to exceed \$1,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; purchase or exchange, maintenance and operation of a passenger motor vehicle; purchase and installation of security systems which are approved by the Capitol Police Board, as authorized by House Concurrent Resolution 550, Ninety-Second Congress, agreed to September 19, 1972, the cost limitation of which is hereby further increased by \$300,000; and attendance, when specifically authorized by the Architect of the Capitol, at meetings or conventions in connection with subjects related to work under the Architect of the Capitol, \$23,515,000, of which \$4,245,000 shall remain available until expended: *Provided*, That of the funds to remain available until expended, \$1,328,000 shall be available for obligation without regard to section 3709 of the Revised Statutes, as amended.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, \$5,256,000.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office

buildings, including the position of Superintendent of Garages as authorized by law, \$32,387,000, of which \$2,940,000 shall remain available until expended.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office; and heating and chilled water for air conditioning for the Supreme Court Building, Union Station complex, Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, \$32,088,000, of which \$665,000 shall remain available until expended: *Provided*, That not to exceed \$3,200,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 1993.

ADMINISTRATIVE PROVISION

SEC. 106. There is established in the Treasury a revolving fund for the House of Representatives gymnasium. The Architect of the Capitol shall deposit in the fund such amounts as the Architect may receive as gymnasium dues or assessments from Members of the House of Representatives and other authorized users of the gymnasium. The amounts so deposited shall be available for obligation by the Architect for expenses of the gymnasium.

Mr. FAZIO (during the reading). Mr. Chairman, in order to expedite the business of the House, once again I ask unanimous consent that the bill through page 17, line 16, be considered as read, printed in the RECORD, and open to amendment at any point, and I urge the gentleman from Pennsylvania [Mr. WALKER] to please indulge us at this time with this request.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. WALKER. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. The Clerk concluded the reading.

AMENDMENT OFFERED BY Mr. SANTORUM

Mr. SANTORUM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SANTORUM: Page 17, after line 16, insert the following new section:

SEC. 107. (a) Not later than November 1, 1992, the Committee on House Administration shall submit to the House of Representatives a report that identifies for each room and other space (including parking) that is currently or may be used in all House Office Buildings the following:

(1) Occupant by Members, committee, or support organization.

(2) Square footage for each space.

(3) Number of persons occupying the space.

(4) Member, committee, or legislative support organization affiliation for each person occupying the space.

(5) Use of space—Member office, committee activities, storage, for example.

(b) The report shall provide the specific information described in subsection (a) and analyze the information by Member, committee, and support organization.

(c) All Members, employees, and support personnel of the House of Representatives are asked to give their full support to this study by answering questions and providing information in a timely manner.

(d) The Committee may utilize such voluntary and uncompensated services as it deems necessary and may utilize the services, information, facilities, and personnel of the General Accounting Office, the Congressional Research Service, and other agencies of the legislative branch.

(e) Notwithstanding any law, rule, or other authority, there shall be paid from the House Office Buildings account of the House of Representatives such sums, not to exceed \$50,000 as may be necessary for completion of the report.

Mr. FAZIO. Mr. Chairman, I reserve a point of order on the amendment, and would ask the gentleman to explain the amendment over perhaps the next 5 minutes.

The CHAIRMAN. The gentleman from California [Mr. FAZIO] reserves a point of order against the amendment.

Under the rule, the gentleman from Pennsylvania [Mr. SANTORUM] will be recognized for 10 minutes, and a member in opposition will be recognized for 10 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. SANTORUM].

Mr. SANTORUM. Mr. Chairman, my amendment deals with an authorization of \$50,000 for the Capitol Building account for a space audit of the parts of the U.S. Capitol Building which is controlled by the House.

In the time I have been here, as the gentleman from California [Mr. FAZIO] has said, I have been diligently trying to find out how this institution is run, as the gentleman has so graciously admitted that we are learning.

One of the things I would like to be learning is how the space is allocated here, and if so, if it is done I am sure in a bipartisan fashion.

One of the things that we cannot find out is how that is done. We have talked to the Architect of the Capitol and requested some accounting as to how space is divided here in the Capitol Building, and we have been told that information is not available.

We were, however, given a blueprint of the Capitol and if we wanted to go around and ask the different offices what space belongs to what, that was our ability to do so.

I think that is certainly not the best way to conduct business.

Again, it is a matter of being open and fair with the American public as to how this institution is managed, how this institution is run, and I think this is an important part of it.

I think one of the most important parts of a space study would be not only to see what space is allocated to whatever membership or whatever party, but also I think you will find out that there probably are a lot of safety violations and code violations here in the Capitol Building, and in the next amendment that we will deal with I will talk about this also over in the House Office Buildings.

One of the things that we have been able to find out in discussing this matter is from I believe it is the Deputy District of Columbia Fire Chief, who basically says that they do not really come in here and inspect this place. Gosh knows what they will find. This is a potential firetrap.

So not only is this amendment put forward to find out where the space is allocated, but also when the space is analyzed whether it is safe for Members and the general public who at times occupy this building, whether it is in a safe manner for them to be in this place under the current conditions.

So in the name of openness toward how this institution is run and also in the name of safety, I stand here asking that this amendment be allowed to be made in order and that the point of order not be offered.

I only can harken to the comments made by the gentleman from California that these amendments, of which I am the first, are endangered. Since we are so conscious and concerned about endangered species, this being the first one on the list today, I would hope that the gentleman from California will have as much in his heart for the Endangered Species Act as he does for this endangered amendment.

POINT OF ORDER

Mr. FAZIO. Mr. Chairman, continuing my reservation, of a point of order, I would indicate to the gentleman from Pennsylvania that if he knew my district, my love of endangered species is much tempered, so I would have to say that it would be appropriate at this time to point out to the Members that this is under the rules of the House within the purview of the Speaker.

So, Mr. Chairman, I must make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill.

□ 1600

Therefore it violates clause 2 of rule XXI. The rule states in pertinent part, "No amendment to an appropriation bill shall be in order if changing existing law."

The amendment not only gives affirmative direction and effect, it imposes additional duties and modifies existing powers and duties.

So I must ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. SANTORUM] wish to be heard on the point of order?

Mr. SANTORUM. No, Mr. Chairman, I do not.

The CHAIRMAN (Mr. DONNELLY). The Chair will rule that the amendment clearly is authorization on an appropriation bill, and the point of order is sustained.

AMENDMENT OFFERED BY MR. SANTORUM

Mr. SANTORUM. Mr. Chairman, I offer an amendment made in order by the rule.

The Clerk read as follows:

Amendment offered by Mr. SANTORUM:

Page 17, after line 16, insert the following new section:

SEC. 107. (a) Not later than November 1, 1992, the Committee on House Administration shall submit to the House of Representatives a report that identifies for each room and other space (including parking) that is currently or may be used in all House controlled space in the Capitol complex, the following:

(1) Occupant by Member, committee, or support organization.

(2) Square footage for each space.

(3) Number of persons occupying the space.

(4) Member, committee, or legislative support organization affiliation for each person occupying the space.

(5) Use of space—Member office, committee activities, storage, for example.

(b) the report shall provide the specific information described in subsection (a) and analyze the information by Member, committee, and support organization.

(c) All Members, employees, and support personnel of the House of Representatives are asked to give their full support to this study by answering questions and providing information in a timely manner.

(d) The Committee may utilize such voluntary and uncompensated services as it deems necessary and may utilize the services, information, facilities, and personnel of the General Accounting Office, the Congressional Research Service, and other agencies of the legislative branch.

(e) Notwithstanding any law, rule, or other authority, there shall be paid from the Capitol Buildings account of the Architect of the Capitol such sums, not to exceed \$50,000 as may be necessary for completion of the report.

Mr. FAZIO. Mr. Chairman, I must rise again to reserve a point of order on the gentleman's amendment, and of course I would ask the gentleman to explain it.

The CHAIRMAN. The gentleman from California [Mr. FAZIO] reserves a point of order against the amendment of the gentleman from Pennsylvania [Mr. SANTORUM].

The gentleman from Pennsylvania [Mr. SANTORUM] will be recognized for 10 minutes, and a Member in opposition will be recognized for 10 minutes.

Mr. SANTORUM. Mr. Chairman, this amendment is similar to the previous amendment in that it authorizes a study for the House office buildings across the street. Again, I would just make the same points as to what space has been allocated. Looking around my office as I did this morning for the various cords and contraptions that are hooked up in a modern day technologically advanced House of Represent-

atives, in buildings which were not built for that purpose, I think a study of the space and safety in this House is absolutely required. I would hope—and I anticipate that the gentleman is going to object and make a point of order on this—I would hope that while this particular amendment is not offered, like my amendment last which was stricken, that I hope that next time we come around for this legislative appropriations bill there will be such a study done, not only to determine what space is allocated to Members but also determine whether we are in fact inhabiting the space it is safe for us to inhabit.

Mr. ROBERTS. Mr. Chairman, will the gentleman yield?

Mr. SANTORUM. I am happy to yield to the gentleman from Kansas.

Mr. ROBERTS. I thank the gentleman for yielding.

I understand a point of order will be raised. I understand this is within the purview of the Speaker. I also understand that that is part of the problem.

Mr. Chairman, I am sentenced to continue whatever existence I have here in regards to the privilege I have of serving my district, to the Longworth Building. The sometimes powerful House Agriculture Committee meets on the third floor and I am one of those Members who believes in attending all the subcommittee and committee hearings. So that is where I live. It has taken me six terms to get to the first floor.

Mr. FAZIO and I have discussed repeatedly the need for what we call a new and modern elevator system, so we could go to and from. I keep in shape in the Longworth Building by going up and down the stairs.

One of the real pressure points, one of the real frustrations, is to go around the Longworth Building and see what space is allotted to Members, more especially new Members. And we are going to have at least 125, some say 150; they are going to come to this body, to this Congress, and they are going to be shocked to find out that they will be crammed into 2 small rooms with the amount of staff and not enough room to really work.

My point is we should not have to spend \$50,000 to do an office space study. It should be done. And I can also say, when you ask the Architect—and I have the utmost respect for George White and his staff—there is no way that you can find out who occupies what.

Then you get these sudden occurrences where one Member all of a sudden found a palatial suite on the fifth floor of Longworth and the nurse was then transferred to another area. Or one Member, through the room drawing, was not permitted to have a room and so we had to exchange a room with a powerful committee chairman.

That is just not the right procedure. So it is not only a matter of safety, it

is not only a matter of convenience for a new Member, it is let Members have enough space to at least conduct their business.

I know I am treading on some thin ice here, but several committee chairmen have suite after suite after suite for receptions. I used to walk by when I was a member, when I worked for my predecessor, and saw LSO's occupying office space, one person in the room, filing on their fingernails, and I wondered why we were forced to live in two small offices.

Mr. Chairman, this is not right. The gentleman from Pennsylvania [Mr. SANTORUM] is accurate, the gentleman is pertinent, and it is a shame we do not make this in order. We do not need the \$50,000. It ought to be an open procedure. I would encourage my friend from California to withdraw the point of order and let us at least have a study of where the current offices are and where offices actually should be.

I thank the gentleman.

Mr. FAZIO. Mr. Chairman, continuing on my reservation, I might add that I have worked closely with the gentleman from Kansas [Mr. ROBERTS], and I would like to say it is important for the House Office Buildings Commission to meet and agree to the elevator improvements that need to be made in the Cannon and Longworth Buildings. In fact, we were not in a position to fund them this year financially or legally as a result of the fact that the commission has not met and approved them. They are very important to the efficiency and productivity of Members who are in those two buildings.

I think the proper approach the gentleman should take would be to go to the committees of jurisdiction, I believe that would be the Committee on House Administration and the Committee on Public Works' Subcommittee on Public Buildings. I think the gentleman may have a point, but I must at this point, given the time in which it is submitted to me, insist on my point of order, which would be the same point I made on the last one.

Mr. SANTORUM. Mr. Chairman, if the gentleman would yield, is the gentleman saying that when I go to the Committee on House Administration, I go there with his support?

Mr. FAZIO. I think a study on the House office buildings would be worth looking at. I am not exactly sure how it should be conducted. But I certainly think there is a bipartisan benefit to that.

Mr. SANTORUM. As the chairman of the Committee on House Administration is sitting directly behind the gentleman, I would hope that he pays attention to that, and I wish that when I do come with this amendment, he will make it part of the legislation.

POINT OF ORDER

Mr. FAZIO. I must at this time, Mr. Chairman, insist on my point of order,

because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of Rule XXI.

The rule states in pertinent part:

No amendment to a general appropriation bill shall be in order if changing existing law. * * *

The amendment:

First, gives affirmative direction in effect;

Second, imposes additional duties; and

Third, modifies existing powers and duties.

I ask for a ruling from the Chair.

The CHAIRMAN (Mr. DONNELLY). Does the gentleman from Pennsylvania [Mr. SANTORUM] wish to be heard on the point of order?

The gentleman does not wish to be heard on the point of order.

The Chair shall rule that, clearly, this amendment is legislation on an appropriation bill, and the point of order is sustained.

Mr. FAZIO. Mr. Chairman, I wish once again to try to expedite matters for the Members today, particularly because I know that we could go right to the amendment which the gentleman from California [Mr. COX] is going to offer, if we could receive unanimous consent that the bill, through page 28, line 19, could be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. WALKER. I object.

The CHAIRMAN. Objection is heard.

The Clerk will read.

The clerk read as follows:

LIBRARY OF CONGRESS

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946, as amended by section 321 of the Legislative Reorganization Act of 1970 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, \$56,583,000: *Provided*, That no part of this appropriation may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration or the Senate Committee on Rules and Administration; *Provided further*, That notwithstanding any other provision of law, the compensation of the Director of the Congressional Research Service, Library of Congress, shall be at an annual rate which is equal to the annual rate of basic pay for positions at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

For authorized printing and binding for the Congress; printing and binding for the Architect of the Capitol; expenses necessary for preparing the semimonthly and session index

to the Congressional Record, as authorized by law (44 U.S.C. 902); printing and binding of Government publications authorized by law to be distributed to Members of Congress; and printing, binding, and distribution of Government publications authorized by law to be distributed without charge to the recipient, \$89,591,000: *Provided*, That this appropriation shall not be available for printing and binding part 2 of the annual report of the Secretary of Agriculture (known as the Yearbook of Agriculture) nor for copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under 44 U.S.C. 906: *Provided further*, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years.

This title may be cited as the "Congressional Operations Appropriations Act, 1993".

TITLE II—OTHER AGENCIES

BOTANIC GARDEN

SALARIES AND EXPENSES

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, \$2,906,000: *Provided*, That effective upon enactment of this Act, such amount, not exceeding \$500,000, deemed necessary for preparation of working drawings, specifications, and cost estimates for renovation of the Conservatory of the Botanic Garden may be transferred to the Botanic Garden appropriation from among the various Architect of the Capitol appropriations, upon approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

ADMINISTRATIVE PROVISION

SEC. 201. Pursuant to section 307E of the Legislative Branch Appropriations Act, 1989 (40 U.S.C. 216c), not more than \$6,000,000 shall be accepted and not more than \$6,000,000 of the amounts accepted shall be available for obligation by the Architect of the Capitol for constructing, equipping, and maintaining the National Garden.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For necessary expenses of the Library of Congress, not otherwise provided for, including development and maintenance of the Union Catalogs; custody and custodial care of the Library Buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog cards and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, \$200,073,000, of which not more than \$7,500,000 shall be derived from collections credited to this appropriation during fiscal year 1993 under the Act of June 28, 1902, as amended (2 U.S.C. 150): *Provided*, That the total amount available for obligation shall be reduced by the amount by which collections are less than the \$7,500,000: *Provided further*, That of the total amount appropriated, \$7,669,000 is to remain available until expended for acquisition of books, periodicals, and newspapers, and all other mate-

rials including subscriptions for bibliographic services for the Library, including \$40,000 to be available solely for the purchase, when specifically approved by the Librarian, of special and unique materials for additions to the collections: *Provided further*, That, notwithstanding the provisions of 2 U.S.C. 150, as amended, \$303,000 is to be available to support the catalog cards service: *Provided further*, That, of the total amount appropriated, \$3,186,000 is to remain available until expended for the rental and outfitting for a warehouse and book storage facility away from Capitol Hill.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Copyright Office, including publication of the decisions of the United States courts involving copyrights, \$26,040,000, of which not more than \$14,500,000 shall be derived from collections credited to this appropriation during fiscal year 1993 under 17 U.S.C. 708(c), and not more than \$2,217,000 shall be derived from collections during fiscal year 1993 under 17 U.S.C. 111(d)(2), 116(c)(1), 119(b)(2), and 1013: *Provided*, That the total amount available for obligation shall be reduced by the amount by which collections are less than the \$16,717,000: *Provided further*, That \$200,000 of the amount appropriated is available for the maintenance of an "International Copyright Institute" in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For salaries and expenses to carry out the provisions of the Act approved March 3, 1931, as amended (2 U.S.C. 135a), \$43,144,000, of which \$10,377,000 shall remain available until expended.

FURNITURE AND FURNISHINGS

For necessary expenses for the purchase and repair of furniture, furnishings, office and library equipment, \$4,490,000.

ADMINISTRATIVE PROVISIONS

SEC. 202. Appropriations in this Act available to the Library of Congress shall be available, in an amount not to exceed \$175,690, of which \$54,800 is for the Congressional Research Service, when specifically authorized by the Librarian, for attendance at meetings concerned with the function or activity for which the appropriation is made.

SEC. 203. (a) No part of the funds appropriated in this Act shall be used by the Library of Congress to administer any flexible or compressed work schedule which—

(1) applies to any manager or supervisor in a position the grade or level of which is equal to or higher than GS-15; and

(2) grants such manager or supervisor the right to not be at work for all or a portion of a workday because of time worked by the manager or supervisor on another workday.

(b) For purposes of this section, the term "manager or supervisor" means any management official or supervisor, as such terms are defined in section 7103(a) (10) and (11) of title 5, United States Code.

SEC. 204. Appropriated funds received by the Library of Congress from other Federal agencies to cover general and administrative overhead costs generated by performing reimbursable work for other agencies under the authority of 31 U.S.C. 1535 and 1536 shall not be used to employ more than 65 employees and may be expended or obligated—

(1) in the case of a reimbursement, only to such extent or in such amounts as are provided in appropriations Acts; or

(2) in the case of an advance payment, only—

(A) to pay for such general or administrative overhead costs as are attributable to the work performed for such agency; or

(B) to such extent or in such amounts as are provided in appropriations Acts, with respect to any purpose not allowable under subparagraph (A).

SEC. 205. Not to exceed \$5,000 of any funds appropriated to the Library of Congress may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Library of Congress incentive awards program.

SEC. 206. Not to exceed \$12,000 of funds appropriated to the Library of Congress may be expended, on the certification of the Librarian of Congress or his designee, in connection with official representation and reception expenses for the Overseas Field Offices.

ARCHITECT OF THE CAPITOL

LIBRARY BUILDINGS AND GROUNDS

STRUCTURAL AND MECHANICAL CARE

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, \$9,733,000, of which \$860,000 shall remain available until expended.

COPYRIGHT ROYALTY TRIBUNAL

SALARIES AND EXPENSES

For necessary expenses of the Copyright Royalty Tribunal, \$911,000, of which \$781,000 shall be derived by collections from the appropriation "Payments to Copyright Owners" for the reasonable costs incurred in proceedings involving distribution of royalty fees as provided by 17 U.S.C. 807.

GOVERNMENT PRINTING OFFICE

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

For expenses of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, \$29,082,000: *Provided*, That travel expenses, including travel expenses of the Depository Library Council to the Public Printer, shall not exceed \$120,000: *Provided further*, That funds, not to exceed \$2,000,000, from current year appropriations are authorized for producing and disseminating Congressional Serial Sets and other related Congressional/non-Congressional publications for 1989 and 1990 to depository and other designated libraries.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

The Government Printing Office is hereby authorized to make such expenditures, within the limits of funds available and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the "Government Printing Office revolving fund": *Provided*, That not to exceed \$2,500 may be expended on the certification of the Public Printer in connection with official representation and reception expenses: *Provided further*, That the revolving fund shall be available for the hire or purchase of passenger motor vehicles not to exceed a fleet of twelve: *Provided further*, That expenditures

in connection with travel expenses of the advisory councils to the Public Printer shall be deemed necessary to carry out the provisions of title 44, United States Code: *Provided further*, That the revolving fund shall be available for services as authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem rate equivalent to the rate for level V of the Executive Schedule (5 U.S.C. 5316): *Provided further*, That the revolving fund and the funds provided under the paragraph entitled "Office of Superintendent of Documents, Salaries and Expenses" together may not be available for the full-time equivalent employment of more than 4,950 workyears: *Provided further*, That the revolving fund shall be available for expenses not to exceed \$500,000 for the development of plans and design of a multi-purpose facility: *Provided further*, That the revolving fund shall not be used to administer any flexible or compressed work schedule which applies to any manager or supervisor in a position the grade or level of which is equal to or higher than GS-15, nor to any employee involved in the in-house production of printing and binding: *Provided further*, That expenses for attendance at meetings shall not exceed \$75,000.

ADMINISTRATIVE PROVISION

SEC. 207. (a) Section 206 of the Legislative Branch Appropriations Act, 1991 (44 U.S.C. 501 note) shall not apply with respect to funds appropriated for fiscal year 1993.

(b)(1) None of the funds appropriated for fiscal year 1993 by this Act or any other law may be obligated or expended by any entity of the executive branch for the procurement of any printing related to the production of Government publications (including forms, CD-ROM's, and map/chart products), unless such procurement is by or through the Government Printing Office.

(2) Paragraph (1) does not apply to (A) individual printing orders costing not more than \$1,000, if the work is not of a continuing or repetitive nature, and, as certified by the Public Printer, cannot be provided by the Government Printing Office, (B) printing for the Central Intelligence Agency, the Defense Intelligence Agency, or the National Security Agency, or (C) printing from commercial sources that is specifically authorized by law.

(3) As used in this subsection, the term "printing" means the process of composition, platemaking, presswork, silk screen processes, binding, microform, and CD-ROM replication, and the end items of such processes.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

For necessary expenses of the General Accounting Office, including not to exceed \$7,000 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; services as authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem rate equivalent to the rate for level IV of the Executive Schedule (5 U.S.C. 5315); hire of one passenger motor vehicle; advance payments in foreign countries in accordance with 31 U.S.C. 3324; benefits comparable to those payable under sections 901(5), 901(6) and 901(8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), 4081(6) and 4081(8), respectively); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries and travel benefits comparable with those which are now or hereafter may be granted single

employees of the Agency for International Development, including single Foreign Service personnel assigned to A.I.D. projects, by the Administrator of the Agency for International Development—or his designee—under the authority of section 636(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2396(b)); \$442,167,000: *Provided*, That not more than \$1,200,000 of reimbursements received incident to the operation of the General Accounting Office Building shall be available for use in fiscal year 1993: *Provided further*, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the Joint Financial Management Improvement Program (JFMIP) shall be available to finance an appropriate share of JFMIP costs as determined by the JFMIP, including but not limited to the salary of the Executive Director and secretarial support: *Provided further*, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of Forum costs as determined by the Forum, including necessary travel expenses of non-Federal participants. Payments hereunder to either the Forum or the JFMIP may be credited as reimbursements to any appropriation from which costs involved are initially financed: *Provided further*, That to the extent that funds are otherwise available for obligation, agreements or contracts for the removal of asbestos, and renovation of the building and building systems (including the heating, ventilation and air conditioning system, electrical system and other major building systems) of the General Accounting Office Building may be made for periods not exceeding five years: *Provided further*, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the American Consortium on International Public Administration (ACIPA) shall be available to finance an appropriate share of ACIPA costs as determined by the ACIPA, including any expenses attributable to membership of ACIPA in the International Institute of Administrative Sciences: *Provided further*, That, notwithstanding any other provision of law, \$2,191,000 of this appropriation shall be available for the planning, administering, receiving, sponsoring and such other expenses as the Comptroller General deems necessary to represent the United States as host of the 1992 triennial Congress of the International Organization of Supreme Audit Institutions (INTOSAI): *Provided further*, That the General Accounting Office is authorized to solicit and accept contributions to be held in trust, which shall be available without fiscal year limitation, not to exceed \$20,000, for any purpose related to the 1992 triennial Congress.

□ 1610

AMENDMENT OFFERED BY MR. COX OF CALIFORNIA

Mr. COX of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. Cox of California: Page 29, line 19, strike "\$442,167,000" and insert "\$333,333,000".

The CHAIRMAN. Under the rule, the gentleman from California [Mr. Cox] is

recognized for 20 minutes in support of his amendment and a Member in opposition will be recognized for 20 minutes.

Mr. FAZIO. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California.

The CHAIRMAN. The gentleman from California [Mr. FAZIO] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. COX].

Mr. COX of California. Mr. Chairman, I rise as a 4-year member of the Committee on Government Operations and as the Republican cochairman of the congressional Grace caucus, which is dedicated to enacting into law the cost-saving recommendations of the Grace Commission.

Mr. Chairman, the purpose of this amendment is to fund one part of our congressional staff, the General Accounting Office, at one-third of a billion dollars annually. It is this Member's view that one-third of a billion dollars for this one part of our congressional staff is ample for the General Accounting Office to continue to do the work that we require of it.

As a consequence of my amendment, Mr. Chairman, the General Accounting Office will have a 50-percent funding increase over fiscal year 1980. In 1980, the General Accounting Office received \$204 million. The current request is for the General Accounting Office to receive a number far more than double that, \$442 million. From fiscal 1990 to fiscal 1991, the budget for this part of our congressional staff was increased 14 percent; from fiscal year 1991 to fiscal year 1992, another 8 percent. This was largely passed through to staff salary increases—to pay raises for our congressional staff—so that the average cost per position at the GAO increased in 1991 by 7½ percent, and in 1992, by 7.8 percent.

Mr. Chairman, it is time that we get our deficit under control, and certainly spending on Congress itself needs to be looked at from the standpoint of reducing overhead.

Mr. Chairman, out there in America there is not much constituency for increased congressional spending on itself. I have received phone calls, letters, and post cards from my constituents asking for increased spending on a variety of subjects, on health, on education, on science, on the environment, even on defense. But never, Mr. Chairman, have I received a single request for more spending on congressional staff.

OVERALL BUDGET

	GAO budget	Percent change (over previous year)
Year:		
1980	\$204,000,000	
1985	299,000,000	
1988	330,000,000	7 percent increase.
1989	345,000,000	5 percent increase.
1990	358,000,000	3 percent increase.
1991	409,000,000	14 percent increase.
1992	443,000,000	8 percent increase.
1993 (request)	442,000,000	

The Cox amendment would reduce the GAO budget to \$333 million—essentially, a return to the FY 1988 budget.

COMPARATIVE SIZE OF GAO

GAO budget accounts for one-quarter of legislative branch.

GAO staff of 5,062 represents one-quarter of all legislative branch staff—that's almost 10 GAO staffers for every Member of Congress.

GAO budget is eight times the size of the Congressional Research Service's budget, nearly 10 times the size of the budget of the Office of Management and Budget, and 21 times the size of the Congressional Budget Office's budget.

WORKLOAD

Year:	Percent
1969	10
1980	35
1985	57
1991	80

¹ Percent of GAO reports initiated by Congress.

DETAILLEES

Year:	No. of detailees	Cost to taxpayers
1988	117	\$3,500,000
1989	143	4,300,000
1990	172	5,300,000
1991		

INDEPENDENCE OF THE GAO

As recently as 20 years ago, the GAO initiated most of its own studies. For instance, in 1969, only 10 percent of GAO's reports were in response to congressional requests. That number grew to 35 percent by 1980, and to 57 percent by 1985. Today, Congressional requests account for fully 80 percent of GAO's workload. The dramatic increase over the last 20 years in congressional demands on GAO has left the agency with less time and fewer resources to spend on self-initiated work.

Combined with the fact that GAO's staff has a low turnover rate—GAO has a retention rate of 94%—there is good reason to believe that GAO has—perhaps not through any fault of its own—become an agency staffed by career bureaucrats and beholden to the majority: A Democratic lap dog instead of a congressional watchdog.

The professionalism and independence of the GAO is essential to its credibility and effectiveness.

Even the liberal Washington Post recognizes the importance of maintaining the integrity and independence of the GAO:

"But the suggestion that the agency is less than independent in its approach and that its studies tilt in the direction of its congressional masters is heard often enough to warrant a closer look. . . ." (July 10, 1991, editorial).

What's more, Harry Havens, one of GAO's 11 assistant comptroller generals, has even publicly acknowledged that GAO's close ties to Congressional Democrats "could pose significant risks to the credibility" of the watchdog agency. (July 30, 1990, New York Times).

Democrat Senator Harry Reid, chairman of the Subcommittee on Legislative Appropriations, thinks that GAO already has a credibility gap: "Maybe your work isn't as good as it used to be. . . I rarely find anybody anymore that respects your work." (quoted in February 13, 1992 Roll Call).

GAO's handling of the House bank scandal highlights just how cozy the relationship between the Congress and the supposedly independent GAO really has become. Prior to

1977, the GAO always cited specifics in its reports on the House bank with regard to overdrafts and check-kiting. All this changed in 1977, when GAO audits of the House bank became public. After that, overdrafts didn't play nearly as large a part in the GAO reports, largely because GAO auditors were persuaded by Democratic leaders to remove the documentation in a made-to-order audit.

DETAILEES

1988: 117, at a cost of \$3.5 million to GAO.
1989: 143, at a cost of \$4.3 million to GAO.
1990: 172, at a cost of \$5.3 million to GAO.
Of 1990's 172 detailees, only one was approved for the Republicans. The Energy and Commerce Committee alone had 33 detailees, and the Committee on Government Operations had 26 detailees—more than the committee's entire minority staff of 17 persons. This large number of detailees has given the majority a huge advantage in investigative manpower.

While the GAO has taken steps in the past year to improve this situation—now, for instance, the authorization of a detailee is subject to the approval of both majority and minority—Republicans are still essentially excluded from all but the final stages of the detailing process.

GAO'S "MEASURABLE FINANCIAL SAVINGS"

In this year's debate, a number of Democrat chairmen—Dingell, Conyers, Synar, Fazio—made the argument that the GAO has served the public well by saving taxpayers billions of "real dollars" each year in government waste, fraud, and abuse.

Exactly how much of this "savings" is actually, and directly, the result of GAO's actions? While Democrats and Republicans certainly agree that there really is a lot of government waste—e.g., \$600 toilet seats at the Pentagon—there is good reason to suspect that GAO's \$33.8 billion in measurable savings is inaccurate and misleading.

It is helpful to break down some of the larger items that comprise the \$33.8 billion.

The largest single item is \$8.6 billion—that's 25 percent of the total savings—which, according to GAO, represents the amount which Congress "saved" by not enacting legislation to increase Social Security benefits for "notch" babies.

Two points need to be made: (1) This "cost-avoidance" does not constitute real savings—any more than a decision by the Congress not to give every taxpayer a million-dollar rebate would save the government money. (2) It is presumptive—not to mention misleading—for GAO to claim credit for such savings. The same is true of most of GAO's measurable savings. Two other big-ticket items in the \$33.8 billion are: \$4.3 billion in savings for restructuring the B-2 Bomber program; \$4 billion in savings for scrutinizing Defense Department budget requests.

GAO claims full credit for these savings—cuts which Congress would certainly have made anyhow.

Mr. Chairman, I yield such time as he may consume to the distinguished Republican leader, the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Chairman, and my colleagues, I rise to make several points here with respect to the amendment of the gentleman from California [Mr. COX]. I'm not altogether sure I am wedded to the amount that he would like to cut from this bill, but there are several pertinent points that ought to be made with respect to the General Accounting Office.

Mr. Chairman, we tend to think of partisanship as a problem of our time. But more than 2,000 years ago a keen observer of political reality has this to say: "The partisan, when he is engaged in a dispute, cares nothing about the rights of the question, but is anxious only to convince his hearers of his own assertions."

These words, Mr. Chairman, remind us of the recurring problem in political affairs when partisanship, a form of advocacy, substitutes for, or is disguised as, objectivity. That problem is at the heart of our debate today.

When the General Accounting Office was created in 1921, it was meant to be a nonpartisan arm of the Congress. Back then the Congress realized that, in order to be effective, the GAO must maintain its credibility. In order to maintain its credibility, the GAO must be nonpartisan. Unfortunately, over the last several years, the partisan nature of GAO has compromised its credibility and, thus, has limited its effectiveness.

We on the Republican side, quite frankly, do not believe much of what the GAO is telling us, and we have ample reason for this distrust.

I will say early on, when I was on the Committee on Appropriations for those 20 years, we relied heavily on GAO. I subscribed then to the fact that they did a marvelous job for us. They gave us hard, cold, fast figures. We did not subscribe to them all the time because we had to insert the political element. But their basic fundamental work was what they were designed to do in assisting the Congress.

However, Mr. Chairman, they have gone afield from that. There are plenty of examples where the GAO revealed its partisanship relationship with the Democrat majority.

There was the botched GAO report on the BCCI scandal which neglected to mention the important role of prominent Democrats. There was the refusal of the GAO to allow Republican Members knowledge of a preliminary October Surprise investigation. And, of course, there is the problem of detailees.

The Government Operations Committee has a total of 26 detailees from the GAO at a cost of \$854,000. The entire Republican staff of the Committee on Government Operations is only 17, with a budget of \$269,000.

Mr. Chairman, that is the kind of thing we are talking about here. GAO is not meant to be an adjunct wing of the Democrat majority, but that is what it has become, and that is why the time for reform of the GAO has also come.

In making mention of the detailees and the numbers, it is a way, in more recent years, to kind of shield the cost of what some of our committee staffs are actually costing the taxpayers. Instead of being charged up in the legis-

lative appropriations bill directly as a cost of Members' staff and allowance, and committee structure, it is hidden, through detailees from the General Accounting Office.

So, in a sense the gentleman is certainly correct in raising the question as he does. I am not altogether sure the amount he has in mind cutting here is the appropriate amount. I will say Mr. Bowsher happens to have been my recommendation as the Comptroller General, and at the given time he has done a marvelous job in recruiting people to the cause. A good measure of the increase in costs are increases in mandated salary and benefits. The number of employees, quite frankly, have not changed all that much in that particular shop.

I do not want to be found guilty in supporting any kind of amendment that is going to do the Congress a disservice in getting at the facts and appropriate figures. I want to give them the tools to work with.

However, Mr. Chairman, I say to my colleagues, "In view of the comments that I have made up to this juncture, you get the general impression that I'm not all that happy about how events have unfolded, and maybe a nick here, a little nick there, and some reminder will get us the kind of results and reform that we're looking for."

Mr. Chairman, I appreciate the gentleman from California [Mr. COX] having yielded this time to me so that I could make this point, and maybe we will have an opportunity to engage in dialog later on in the debate.

Mr. FAZIO. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. WOLPE], chairman of the Subcommittee on Investigations and Oversight of the Committee on Science, Space, and Technology.

Mr. WOLPE. Mr. Chairman, I rise in strong opposition to the amendment to cut the appropriation for the General Accounting Office.

As the chairman of the Investigations and Oversight Subcommittee of the Committee on Science, Space, and Technology, I have been examining the management practices of civilian research and development agencies—primarily the Department of Energy and NASA. In just the last 9 months, GAO has sent me 10 reports and has testified before my subcommittee on numerous occasions. In my opinion, GAO has provided high-quality, accurate, and balanced analysis, including many recommendations for correcting costly management problems.

For example, GAO has helped us to identify opportunities to improve the negotiation and administration of procurement contracts at NASA to better protect the interests of the American taxpayer. As a result of GAO's work in this area, we should be able to avoid another fiasco like the Hubble telescope where the taxpayer got stuck

with a billion dollar satellite that does not perform to specification.

And I would emphasize that NASA itself has benefited from GAO's work, agreeing to implement most of GAO's recommendations in recent years.

Let me give you another example. We asked GAO to examine the Department of Energy's accounting system to determine how the Department tracked obligations to its numerous contractors. GAO discovered that there is over \$2 billion rattling around inside the DOE complex, and that DOE has no system in place to account for these funds. GAO found that this previously obligated—but uncommitted—money is not even considered when DOE prepares its annual budget proposal.

As a result of GAO's work on this issue, the fiscal 1993 energy and water appropriation bill that passed the House last week was reduced by \$187 million. Let's put that number in perspective. The amendment before us would cut GAO funding by about \$110 million. But the work that GAO did for our subcommittee alone on just one job has resulted in savings of \$187 million in the next fiscal year.

And I would add that the DOE controller has embraced GAO's recommended changes to its accounting system, and GAO's work will lead to even greater savings in the years ahead.

This amendment is clearly penny-wise and pound-foolish. Such a deep cut in GAO's funding will curtail Congress' ability to conduct aggressive oversight of the Federal bureaucracy. And I submit that curtailing congressional oversight—not saving money—may in fact be the motive behind this amendment. I have always adopted a nonpartisan approach to congressional oversight. I feel that we, as Members of Congress, have an institutional and constitutional responsibility to ensure that the programs and activities that we fund are carried out in an effective and efficient manner.

But some Members on the other side of the aisle seem intent upon curtailing such efforts. This situation drips with irony.

When Ronald Reagan rode into town in 1981, the Federal bureaucracy was the enemy, and the battlecry of the Republican party was waste, fraud, and abuse.

How things have changed in 12 years. The Republican party has controlled the executive branch for so long it has become the apologist for the Federal bureaucracy and the waste, fraud, and abuse that it generates. That is what this amendment is all about.

Supporters of this amendment feebly claim that it will save money. That is dead wrong. If you restrict the ability of the General Accounting Office to do its job, you will actually cost the taxpayers money. If passed, this amendment would not protect the interests of

the taxpayer, it would protect the interests of the Federal bureaucracy.

If you support waste, fraud, and abuse, you should vote "yes" on the Cox amendment, because that is the effect of this amendment. If you believe that the American people deserve to have an effective watchdog agency keeping an eye on how the Federal bureaucracy spends our tax dollars, you should vote "no" on the Cox amendment.

It is as simple as that. I urge that this ill-conceived amendment be defeated.

□ 1620

Mr. COX of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my colleague, the gentleman from Michigan [Mr. WOLPE], has made a valid point, which is that on many occasions the General Accounting Office does high-quality work.

That is not what this is all about. Most Americans are literally stunned to find out it costs \$2.3 billion to pay for the Congress itself; that 535 men and women comprising the House and Senate spend \$2.3 billion to run their own operation.

Now, we can talk a lot about the House bank and the House post office, or trying to save money by cutting off the House gym. But most of us know that it is not where the money is.

We have to look at how Congress finances its overhead, its own staff. Without question, the largest single amount is buried over at the General Accounting Office, one-quarter of the entire legislative budget, one-third of all legislative staff.

How big is GAO? Well, OMB has 600-some people. GAO has over 5,000 people.

Just by way of comparison, the international organization, the OECD, that does economic analysis for the world's 27 industrial countries, has a total staff of 1,800 people. Now, imagine, there are over 5,000 people at the General Accounting Office. I think we can scale that back substantially, and still do the job that Congress requires of itself.

This one part of our congressional staff, as I mentioned, is now seeking this year \$442 million, nearly one-half of \$1 billion. My amendment will fund it at one-third of \$1 billion. That is ample.

Ross Perot is abroad in the land right now telling people we have got to come to Washington, DC, and balance the budget and cut spending.

If we are not willing to cut spending on our own staff, my colleagues, we are not going to cut it anywhere.

The distinguished Republican leader mentioned that the impartiality of recent General Accounting Office reports has been questioned. There was a recent article in the American Spectator headlined "There Is No Accounting for

Congress." The subheadline was, "Especially if GAO Is Cooking the Numbers."

In the opening of the article our colleague from the other body, Senator KIT BOND, is quoted as saying, "With the GAO you can get anything you want." There is a little illustration here of Alice's Restaurant, depicting "The Alice's Restaurant of the Legislative Branch, the General Accounting Office."

That is because increasingly Congress itself is directing the results and conclusions of GAO reports. In 1969, 10 percent of the General Accounting Office's reports were initiated by Congress. By 1991 that had risen to 90 percent.

Literally, GAO is the staff of Congress. Literally, GAO is being driven by congressional committees. In fact, GAO has so many staff that it actually loans them to congressional committees.

Between 100 and 200 members of GAO's staff at any given time are detailed to congressional committees, working for the committee chairmen there, at a cost annually of between \$4 and \$5 million.

As a result of the increasing amount of money and staff at GAO, the place is running, I am sad to say, out of control. Some of GAO's reports are good and some are not.

My Democratic colleagues will be objecting, I believe, on the ground that if you are against fraud, waste, and abuse, you have got to have the GAO. I have seen a "Dear Colleague" sent around that says if you support waste, fraud, and abuse, you should vote "yes" on the Cox amendment.

Well, frankly, in 1921, when the General Accounting Office was started, its mission was to end fraud, waste, and abuse. Now it has become a one-half billion dollar bureaucracy in and of itself.

My mission is simply this: Cut the overhead, get the staff under control. One-third of \$1 billion for this part of our staff is absolutely ample.

Mr. Chairman, let me add that the impartiality of the General Accounting Office, which has been called into question because of the direction of conclusions and the directions of reports by committee chairs, is something that we could get around if we had an authentically impartial auditing agency do these reports.

I checked with Price Waterhouse, the highly respected accounting firm. I asked them:

How much does it cost to do all of your audits nationwide, with 110 offices, and over 9,000 professionals for all of your tens of thousands of clients in America?

The answer was: \$357 million.

Now, we are about to spend \$442 million in this bill on the General Accounting Office. In other words, we could supplant all of Price

Waterhouse's clients across America, and hire Price Waterhouse full-time to do this, and still save nearly \$100 million—precisely the amount that I would like to save by this amendment.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. COX of California. Mr. Chairman, I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I thank my colleague for yielding. I want to acknowledge that to me the gentleman is an invaluable member of the Committee on Government Operations. He has not been here an awfully long time to read back some of the reports and accomplishments.

But I would say to the gentleman that in all fairness to this debate, can the gentleman not remember anything in which, through the GAO, we have done a good job? Do you not have a list of things that even with this amount of money that the gentleman feels is too much, have they not accomplished anything?

Mr. Chairman, let us be honest about it. Is this an attempt to really cut out oversight in the Congress and cripple us in this very important area of work, or does the gentleman just not know any better?

Mr. COX of California. Mr. Chairman, I appreciate the question put to me by my distinguished chairman, and I will say this, that one-third of \$1 billion is an extraordinary amount of money to do the kind of work that we need from our congressional staff. I believe it is important for us to have staff for this purpose, but I also believe that one-third of \$1 billion is ample for this purpose.

The CHAIRMAN. The Chair would advise that the gentleman from California [Mr. COX] has 6 minutes remaining, and the gentleman from California [Mr. FAZIO] has 17 minutes remaining.

Mr. FAZIO. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. MURTHA], the chairman of the Subcommittee on Defense of the Committee on Appropriations.

Mr. MURTHA. Mr. Chairman, let me just say this: That your Subcommittee on Defense of the Committee on Appropriations handles more money than any country in the world except for three countries, and we rely on the GAO substantially to make recommendations to us many times about where we can make savings. Some of those recommendations we do not take. Some of those we argue with.

□ 1630

Some of them we are critical of, but one *Seawolf* submarine costs more than the operation of the entire Congress. As a matter of fact, when we look at the amount of money that Congress spends, the amount of money that Congress saves through the agencies, we save enough to fund the entire Congress.

In our bill this year, Members will find us reducing the spending in the Defense Department by about \$4 billion. The reason we are reducing that is a combination of hearings that we have held, a combination of recommendations from other committees, and it is bipartisan in the support of the recommendations we get. And we will reduce their spending, and GAO has played an absolutely essential role in reducing the spending in the committee that I chair.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. MURTHA. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I think the gentleman's testimony is so important here. Here is a chairman of a committee that is taking the hit on GAO effectiveness and efficiency and is testifying in its favor. I wish that there were more chairmen like the gentleman that would speak up for it under those kind of adverse circumstances.

I commend the gentleman in the well.

Mr. MURTHA. Mr. Chairman, I do not think that there is anyone that gives us more help in reducing inefficiency and ineffectiveness than the GAO. I would urge the Members to defeat this amendment.

Mr. FAZIO. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. ASPIN].

Mr. ASPIN. Mr. Chairman, I rise in opposition to the amendment and in total support of the comments of the gentleman from Pennsylvania a little bit earlier.

Mr. Chairman, I rise in opposition to the amendment. I realize a certain controversy has surrounded the GAO in recent years. But that's not bad. It's good. The problem with GAO over the years has been the blandness of its reports. Thank goodness, it's emerging from that cocoon. If we pass this amendment, we will drive it back into its cocoon.

As well, we would deprive it of the resources needed to do its day-to-day business—which is ferreting out waste. Mr. Chairman, my committee is one of the main consumers of GAO products. We could not do our work without the GAO. It provides a reservoir of talent and knowledge. Its staff is a force multiplier for the Congress. The Armed Services Committee has a limited professional staff. Without the skills and staff available from the GAO to poke around the Pentagon we would literally be at the mercy of that building and its 24,000 staffers.

If we are ever to have any hope of balancing the budget, we must cut outlays. And the GAO is the best tool we have for finding the biggest cuts that do the least damage. To ax the chief agency engaged in the war on waste is hardly a reasonable way to go.

Mr. FAZIO. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, I rise in total opposition to this amendment, which is totally misguided.

GAO assistance to the Foreign Affairs Committee has been invaluable, as has GAO assistance to every phase of congressional oversight.

Without GAO, we might not have been able to get a handle on the management practices at UNESCO and other international organizations. GAO's work has greatly enhanced the extent to which we can be confident that U.S. contributions to these organizations are being put to good use.

GAO provides the committee information that is extremely important in structuring our foreign aid programs. To take just one small example, GAO's 1990 report on how United States-provided military equipment and supplies were being used in Somalia, and how the then-Somalian Government's military forces had devastated cities in the north, led us to substantially cut assistance to that government.

In a more general vein, GAO's work is vital to House oversight on AID operations. In large part, we know the areas that need attention through the work of GAO. It is through the work of GAO that we are able to get some sorely needed improvements.

GAO's evaluation of the Bigeye binary chemical bomb program made an extremely important contribution to the bilateral chemical weapons agreement between the United States and Russia. The weapon was canceled, saving the taxpayers some \$1.6 billion and, just as important, paving the way to a possible worldwide ban on chemical weapons. GAO's documentation proved there were technical flaws in the Bigeye system.

Without this body of work, which demonstrated great persistence in the face of severe criticism by the Department of Defense, Congress would never have learned about the problems. These efforts proved to be a crucial factor in the formulation of U.S. chemical weapons policy.

We have to see to it that this superb organization that has been developed over the years under successive Comptrollers General remains strong. It would be foolish to damage a resource so vital to us in carrying out our legislative and oversight responsibilities.

Mr. COX of California. Mr. Chairman, I yield 1 minute to the gentleman from Kansas [Mr. ROBERTS].

Mr. ROBERTS. Mr. Chairman, I thank the gentleman for yielding time to me. I do not know if this is totally misguided or partially misguided, but let me talk about something at the GAO that has not been discussed. That is, the fact that they are self-starting, self-appointed, and act in some cases like Moses coming down from the legislative mountain.

About 5 or 6 years ago, the GAO walked into the Department of Agriculture, talked to Secretary Lyng and said, "How would you like a study? We would like to do a study on the possible restructuring of the USDA."

That is an ongoing issue that those of us in the Committee on Agriculture would like to see accomplished almost every session. And so some 13 studies later, no Member of Congress asked for this, no real suggestion of fraud, waste,

and abuse, but 13 studies later, we have a bunch of recommendations that basically are not factual. What the GAO has said, if we cut X number of farm program offices out there, we are going to save XX amount of money. They did not realize that three offices were really colocated in one office. They did not realize what happens in regards to lease situations.

Let us at least make it factual. Let us at least bring this under some kind of control here in terms of the self-appointed GAO.

Mr. COX of California. Mr. Chairman, I reserve the balance of my time.

Mr. FAZIO. Mr. Chairman, I yield 2½ minutes to the gentleman from Michigan [Mr. CONYERS], chairman of the oversight committee for the GAO.

Mr. CONYERS. Mr. Chairman, this is an incredible amendment. For a person on this committee to be alleging that we are spending money on ourselves and on our own staffs is so misguided that it begs the question.

We are talking about the GAO. We do not get the benefit. That is not our staff. They are run by a professional who is recommended and nominated by the minority leader in the House of Representatives, sir. I do not hear anybody calling for his head over there. If he is so darn partisan, why do my colleagues do not get rid of him?

My problem is, they do not hit hard enough. But that is not what we are here for.

Tell me how we are going to oversight a budget of \$1.5 trillion with a measly \$300 million budget and then we start talking about cutting. Nobody said a word about waste, fraud, and abuse, which is supposed to be the guideline. Nobody says anything about waste, fraud, and abuse like it does not happen, like we are not saving any money.

No, let us let the administration run its own ship with as little oversight from the House of Representatives as possible. That is what we are about here, and we are doing it, ironically, on the eve of the anniversary of Watergate.

Be ashamed, you guys, be ashamed.

The gentleman from New York [Mr. HORTON] and I have been working ourselves to the bone trying to save money.

Listen to what we are doing. This is not rhetoric. GAO recommendations to restructure the B-2 bomber contributed to budget reductions of \$1.2 billion in fiscal 1991. GAO, the Federal Aviation Administration reissued a contract on computer modernization, saving \$1 billion. GAO discovered universities overbilling the Federal Government, tens of millions of dollars.

Ask the gentleman from Michigan [Mr. DINGELL]. It goes on and on. Vote this thing down.

Mr. FAZIO. Mr. Chairman, I yield 2 minutes to the gentleman from New

York [Mr. HORTON], the ranking Republican member of the same committee.

Mr. HORTON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have serious concerns about the General Accounting Office. GAO's detailee policy bothers me greatly. I am troubled by what I view as inconsistency in the quality of some of its work. But GAO is a large, complex organization. It is not perfect. It can stand improvement and review.

Last week I shared my concerns about GAO with Comptroller General Bowsher and Deputy Comptroller General Socolar in a continuing dialogue and effort to get some changes where changes are appropriate. Mr. Bowsher and Mr. Socolar are responding to concerns I have raised and to concerns others have raised. At their direction, GAO is conducting its own internal review.

In addition, it is seeking to put in place a peer review program to assess fully all of its operations, define deficiencies, correct those that are identified, and hence, improve the quality of work that the GAO provides to the Congress and the American people. Those actions make sense.

A funding cut of 25 percent, however, does not make sense. And it is not reasonable. On the contrary, it would be crippling to GAO, and it is not my intention nor desire to cripple the General Accounting Office.

Just to point out, a reduction in force to achieve a cut of this magnitude requires the separation of a large number of staff to cover the expenses of the RIF itself. A reduction in force which will permit GAO to operate within a budget of \$333 million will require the separation of approximately half of GAO's 5,000 employees. They will have to close at least 6 of their 13 regional offices and both of their overseas offices, thereby eliminating approximately 700 employees.

This would drastically limit GAO's unique onsite investigative capabilities and severely impact the watchdog presence throughout the Government operations.

They would also have to terminate 1,800 employees in an agencywide reduction.

Do not throw the baby out with the bathwater. I oppose the amendment and urge my colleagues to vote against it.

Mr. FAZIO. Mr. Chairman, I yield 1 minute to the chairman of the Committee on Energy and Commerce, the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I rise in strong opposition to amendment No. 5 which is designated as the "Cox of California" amendment to cut the appropriation for the General Accounting Office from slightly over \$442 million to slightly more than \$333 million. This politically motivated cut of the GAO is

equivalent to about a 25-percent reduction in funds.

In discussions with the GAO leadership, I understand that this cut would result in a reduction in force at the GAO of over 1,800 people, plus a furlough of other persons at the agency from its present level of just over 5,000 people. This reduction sum is caused because in order to conduct a RIF the agency has to take into consideration under current law severance pay and annual leave, which is always substantial. In addition, because of the requirements of law regarding veterans' preference, grade level, and longevity, and the related so-called bumping rights of employees, such a RIF will undoubtedly affect many people at the lower end of the GAO pay scale—most of which are probably women and minorities. In this recession, I find it hard to believe that the Republicans want to increase the unemployment rolls even more and that they want to target minorities.

Mr. Chairman, this is a draconian effort designed to make the General Accounting Office ineffective. The proponents want to weaken how the GAO conducts its functions, including the handling of bid protests for the benefit of many businesses who regularly bid for contracts with the Government.

This is not an effort to save money or make our Government lean and mean. It is a deliberate effort to transfer the GAO into a think tank and make it ineffective as an independent investigative arm of the Congress.

I am concerned that all too often the GAO performs such think tank functions and disregards its vigorous investigative duties. The recent line-item veto report is an example of that problem. That clearly must be stopped by the present leadership of the GAO.

The GAO has been doing this work for many, many years under many Presidents. I recall that during the tenures of President Johnson and Nixon in the White House, many executive branch agencies used to refer to the GAO as "God's awful office." They were fearful of any investigation by the GAO into the legality of an agency's actions, into waste and fraud, and into the question of whether or not the agency was in fact carrying out the statutory requirements of the Congress and the President. I am not sure that fear exist today. It will most certainly not exist with this severe cut.

Few in the executive branch have ever had good words for the GAO, but most of us know from long years of experience that such an investigative agency—not a think tank—is absolutely essential if we are to have a fair and effective Government of laws, not of men.

The GAO has saved the taxpayers money. For instance:

In the case of Environmental Protection Agency, the GAO helped to iden-

tify tens of millions of dollars in unallowable or questionable costs with EPA's Superfund contracts.

In the case of universities, the GAO helped identify tens of millions of dollars of unallowable or questionable costs at many of our well-known universities across the country.

In the case of the Department of Energy, the GAO is in the process of finding millions of dollars in unallowable and questionable costs in regards to DOE's weapons facilities contracts.

In the case of the Department of Defense, GAO's recommendations to restructure the B-2 Bomber Program contributed to budget reductions of \$1.2 billion in fiscal year 1991 and an average reduction of \$4 billion in each of the next 3 years.

On the basis of GAO work, the Congress and Treasury made changes to the Tax-Exempt Bond Program to ensure that financed projects better served low-income renters.

The GAO helped identify abuses in the \$100 billion merged surplus accounts governmentwide. The merge surplus account was immediately eliminated, withdrawing \$67 billion in spending authority.

These are only some of the GAO accomplishments that save public funds. There are many more listed at the end of my remarks.

The Cox amendment, however, would strip GAO's effectiveness in these and other areas and will give the executive branch—under Bush, Clinton, or Perot—the freedom to act without fear of intensive investigation by this agency. Waste, fraud, and abuse, and disregard of law will result. None of that is in the public interest, but it is in the interest of the executive branch which is controlled by the Republicans. They clearly do not want such oversight. They do not want to spend money which will protect taxpayer funds. They do not want GAO to uncover their misdeeds.

I stress that the GAO and its staff are not employees of the House. As to the issue of GAO details, that is an old story that was addressed last year. These people help us conduct oversight. The administration and our Republican colleagues don't like that.

I strongly urge that my colleagues in the House, particularly my Democratic colleagues, join me in ringing opposition to this draconian cut. I urge support for the committee's bill.

□ 1640

Mr. Chairman, this amendment is an outrage. A similar amendment was defeated last year. This is burning our seed corn. What the author of this amendment and those who support it are seeking to do is to simply terminate auditing and investigations of the executive branch. They are going to cut the number of GAO auditors almost 35 percent. That means the work which is

done by GAO and the Congress to halt thievery, rascality, waste, and abuse of the taxpayers' money will cease, because we are going to be terminating 1,800 out of 5,000 employees who are out chasing these scoundrels, criminals and wrongdoers.

If the Members do not want to know where wrongdoing is going on in the Government, vote for the amendment. It is a great amendment, if that is what they want. If the Members want to see if the taxpayers and the public interest and public money is protected, then at all costs vote against this amendment.

This is not an amendment which an intelligent person would vote for. This is an amendment which would be the delight of a thief, a scoundrel, a knave, or a person who is trying to rip off the taxpayers. As I said this is an outrageous amendment. It should be voted down unanimously. What it does is terminate the ability of the Government to protect the taxpayers and to halt wrongdoing. I urge my colleagues to vote overwhelmingly against this abominable amendment.

GAO SAVINGS—INDIRECT COSTS

UNIVERSITIES

GAO helped identify tens of millions of dollars in unallowable or questioned costs at universities across the country.

GAO exposed the fact that the contracting agencies have allowed universities to recoup extra allowable costs through unfair allocation formulas—totaling hundreds of millions of dollars.

EPA

GAO helped identify tens of millions of dollars in unallowable or questioned costs with EPA's Superfund contracts.

DOE

GAO is in the process of finding millions of dollars in unallowable or questioned costs with DOE's weapons facilities contracts.

ENVIRONMENTAL PROTECTION AGENCY

GAO helped demonstrate that the EPA has systematically ignored good contract management practices costing the agency tens of millions, and possibly hundreds of millions, in waste, fraud and abuse annually. GAO will be the lead witness at the July 8th hearing on contract abuse at EPA.

DEPARTMENT OF DEFENSE

For the past number of years, GAO has helped identify billions in abuses at DOD, including defective pricing, mischarging, overpricing, and unallowable or unreasonable charges. Contractors reviewed include General Dynamics, TRW, Northrop, Bell/Texton, and Lockheed. Programs include DDG-51, C-17, Apache, C-5B, F-16, HARM, and B-1.

"M" ACCOUNTS

GAO helped identify abuses in the \$100 billion "M" and merged surplus accounts governmentwide. The merged surplus account was immediately eliminated, withdrawing \$67 billion in spending authority. The agencies were given three years to audit and reestablish valid needs for the "M" accounts. Much of the budget authority in the "M" accounts has been given up.

GAO ACCOMPLISHMENT RELATED TO WORK REQUESTED BY REPRESENTATIVE JOHN DINGELL

Number	Title	Amount
HRD-90-16	Defeating proposals to raise Medicare reimbursement of health maintenance of organizations (HMO's).	\$340,000,000
HRD-89-18	Reduction in Medicare payments for clinical laboratory services.	169,000,000
RCED-88-12	Increased fees from hydropower licenses.	5,061,500
RCED-87-25	Parachute Creek Shale Oil project	500,000,000
Total measurable financial benefit.		1,014,061,500

Number	Title
HRD-91-02	Enactment of P.L. 101-354 Establishing a Program of Grants to States to Carry Out Programs to Screen Women For Breast and Cervical Cancer as a Preventive Health Measure.
HRD-91-04	The Congress provided States Additional Time to Implement the Requirements of the State Comprehensive Mental Health Services Plan Act of 1986.
HRD-91-05	Passage of the Trauma Care Systems Planning and Development Act.
HRD-91-06	Mental Health Services Grant Formula Change.
HRD-91-07	Emergency Medical Services State Planning Grants Formula Change.
RCED-91-38	DOT Corrective Actions Concerning Hazardous Materials Enforcement
GGD-90-24	SEC Directed the New York Stock Exchange to Review the Applicability of Its Rule 390 to After Hours Trading.
RCED-90-05	Strengthening of EPA's Procedures for Preventing Conflicts of Interest Under Superfund Contracts.
RCED-90-68	DOE Revised its Earnings Limitation Agreement to Prevent Martin Marietta From Unfairly Benefiting From Operation of DOE Research and Production Facilities.
RCED-90-69	DOE Reviewed Field Office Orders to Ensure That They Are Consistent With DOE-wide Work-For-Others Requirements.
RCED-90-71	DOE Headquarters Directed All Field Heads to Ensure That Work-For-Others Agreements Contain Required Clauses and Certifications.
RCED-90-72	DOE Directed Field Unit Heads to Ensure That Written Determinations and Certifications Are Performed for Non-DOE Projects.
RCED-90-73	DOE Has Taken Action to Fully Recover Personnel Costs Associated With Its Work-For-Others Projects.
RCED-90-74	DOE Evaluated the Appropriateness of a Contractor's Work-For-Others and Assigned a Headquarters Group to Oversee the Contractor's Work.
GGD-89-08	Stronger Measures to Detect Insider Trading.
HRD-89-03	New Grant Formula for the Alcohol, Drug Abuse, and Mental Health Block Grant.
HRD-89-05	Enhancing Enforcement for the Alcohol, Drug Abuse, and Mental Health Block Grant Set-Aside Provisions.
RCED-89-01	FERC Has Enhanced Fish Protection By Improving Coordination With State and Federal Agencies.
RCED-89-02	DOE Reevaluated Its Need for Oil Firms Records.
RCED-89-03	FERC Has Taken Action to Facilitate Development of Comprehensive River Basin Plans.
RCED-89-04	FERC Has Improved Timeliness of Responses to Investigative Reports.
RCED-89-05	Liability Protection for a Nuclear Plant Accident.
RCED-89-06	FERC Has Improved Its Monitoring of Hydroelectric Projects' Compliance With Federal Requirements.
RCED-89-26	The Bonneville Power Administration Performed Further Analysis to Justify Expanding the Northwest-Southwest Inter tie.
RCED-89-32	DOT Improved Measurement of Its Investigations Division Workload.
RCED-89-38	Improved Coordination In Assessing Pesticide Benefits.
RCED-89-54	DOT Mandated to Improve Gray Market Vehicle Program.
RCED-89-57	The Federal Railroad Administration Took Actions to Improve Accident and Injury Reporting.
HRD-88-23	Medicare Statutes Amended to Clarify That Government Sponsored Health Plans Pay Before Medicare.
RCED-88-21	Improvements in EPA's Internal Controls for Managing Air Regulation Dockets.
RCED-88-39	Improvements in EPA's Procurement Regulations.
RCED-88-40	Improvements in EPA's Planning, Budgeting, and Reviewing Research.
HRD-87-01	Improved Distribution of Block Grant Funds.
RCED-87-06	Safe Disposal of Federally Generated Hazardous Waste.
RCED-87-28	DOE Has Improved Its Long Term Settlement Process for Oil Pricing Violations.
RCED-87-32	DOE Corrected Errors in Fund Allocation to States.
RCED-87-34	DOE Notified Oil Firms of Recordkeeping Needs.
RCED-87-35	Improved DOE Oversight of Energy Systems' Conflict of Interest Procedures and Acquisitions From Affiliates.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore (Mr. SYNAR) assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. McCathran, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

□ 1643

LEGISLATIVE BRANCH
APPROPRIATIONS ACT, 1993

The Committee resumed its sitting.

Mr. FAZIO. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. BOEHLERT].

Mr. BOEHLERT. Mr. Chairman, I am in opposition to the amendment and in support of the stirring oratory of the chairman of the Committee on Energy and Commerce.

Mr. Chairman, this past spring, Mr. WOLPE and I held a hearing on the Department of Energy's budget. We found that the Department had been engaging in an accounting gimmick that let them label some funds as obligated when in fact they were not. As much as \$2 billion in fiscal year 1991 had escaped scrutiny by either OMB or Congress through this trick.

Though Chairman WOLPE and I, and the staff of our Investigations and Oversight Subcommittee, worked hard on this issue, the lion's share of the credit must go to the General Accounting Office. It was GAO that brought this issue to Mr. WOLPE and I. GAO did excellent work and testified before my Subcommittee on the House Science, Space, and Technology Committee. That day we had not just the rare privilege of hearing from GAO, but also hearing from the Department of Energy's chief financial officer that the Department substantially agreed with GAO's findings and even thanked them for their work.

The work done by GAO and our subcommittee will directly save the American taxpayer \$182 million in fiscal year 1993. I want to laud Chairman BEVILL and Mr. MYERS for taking this issue seriously and for cutting the DOE budget request to reflect their assessment of DOE's excess funds. This represents real deficit reduction through real budget savings won through aggressive oversight.

But there are other benefits in the future. The national energy strategy bill passed by the House included a requirement that I wrote with Mr. WOLPE that the Department of Energy report to Congress on these grey area obligated funds so that future budget requests can be adjusted accordingly. Savings that will result from this measure could exceed a billion dollars.

Today, we will be asked to cut the GAO budget for fiscal year 1993 by \$110 million. This is a classic example of being penny wise and pound foolish. In one hearing, GAO saved more money for our taxpayers than the

amendment we will vote on would do. But is there anyone in this body who believes that if we cut the GAO by 25 percent they would be able to do that kind of work for us? Is there anyone, on either side of the aisle, who believes that a Perot Presidency would not warrant very aggressive GAO work?

Some members are mad at GAO because they feel certain reports have been politically tainted. Some members are mad, on my side of the aisle, because they fear that GAO will be used to embarrass the administration. Occasionally they will; despite being a loyal Bush man, I would be the first to concede that there have been rare occasions when the administration has made mistakes. But remember that our Founding Fathers intended the executive branch to be watched by the legislative—that is what our institutional checks and balances are all about. GAO is our best watchdog and the amendment that will be offered today threatens to pull its teeth. I hope you will join me in opposing that amendment.

Mr. FAZIO. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. IRELAND].

Mr. IRELAND. Mr. Chairman, I am in opposition to this amendment, and would associate myself with the gentleman from New York [Mr. HORTON]. The GAO does outstanding work. Yes, it can do better. Let us not use this amendment to shoot the messenger.

Mr. Chairman, I rise in opposition to the amendment.

The GAO, like all organizations, can be improved. Unfortunately, the Cox amendment would decimate GAO instead of proposing constructive ways to improve the institution. GAO responds to all kind of requests. The quality of its products varies. Some are very good; some are OK, and some are poor. I know that. But over the years, the GAO has done some excellent work for me as an individual Member—particularly on the "M" accounts, the 5-year defense program budget mismatch, the A-12, to name a few. The savings to the taxpayers on these three issues alone is in the tens of billion of dollars. Without GAO it would not have happened.

Mr. Chairman, I cannot support an amendment that would destroy an organization that plays an important role in the congressional oversight process.

Mr. FAZIO. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. LEACH].

Mr. LEACH. Mr. Chairman, let me just say the gentleman from California [Mr. Cox] has made some good points, and I hope the majority listens carefully to the concerns of our distinguished minority leader, the gentleman from Illinois [Mr. MICHEL].

Having said that, the fact of the matter is that what this amendment does is cut out the heart of congressional oversight. If there is any responsibility constitutionally given to the Congress of the United States, it is oversight. If there is any great failure of the last 20 years in American public life, it has

been that congressional oversight has been too lax, not too vigorous.

Let me just give an example of the import of the GAO in banking.

In the late 1980's the only credible agency in Washington, DC, on banking matters was the General Accounting Office. It developed a way of looking at international lending, a way of looking at savings and loans, that led to massive reform in the Federal Deposit Insurance System which saved dozens if not hundreds of millions, if not billions of dollars. The effects as well as the cost of GAO oversight has to be understood.

I do not personally know what the right level of funding for the GAO is, but I do know if we toy with the General Accounting Office, we will be potentially giving a green light in some instances to thievery, but more generally, to lack of programmatic oversight, responsibility for which the Constitution of the United States of America posits most pointedly in this legislative body. For that reason I would urge defeat of the amendment before us.

Mr. FAZIO. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota [Mr. OBERSTAR].

Mr. OBERSTAR. Mr. Chairman, I rise in opposition to the amendment.

Mr. FAZIO. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Chairman, for more years than I can count the GAO has been the Government auditors, and they have an essential function here, but in recent years they have become more important in that they have become our overseers, our field investigators, our policy analysts, our eyes and ears inside the Government. The message they bring us is not always pleasant, it is not always well received, and I will be the first to admit it is not always well done. I have not been satisfied sometimes with their work.

But to pass this amendment is to penalize the GAO for trying to do its job as well as it possibly can. It is to shoot the messenger in the foot.

In addition to being spiteful, this amendment is shortsighted, because what we spend on GAO is not spent and lost and consumed and forgotten; it yields a stream of earnings and savings each year. I could take the Members, if I had the time, through the defense authorization bill and cite chapter and verse when GAO alerted us to savings.

Cutting the General Accounting Office from \$442 to \$333 million is not an efficiency measure, it is an emasculation. It will weaken one of the strongest arms of the Congress, and we should not do it.

Mr. FAZIO. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. MILLER], chairman of the Committee on Interior and Insular Affairs.

Mr. MILLER of California. Mr. Chairman, the House Committee on Interior and Insular Affairs, which I have the privilege of chairing, has jurisdiction over billions of dollars of royalties and rents and payments that are due the American people from the rent of their public lands, their coastal areas, and their resources. Yet we find out that those who would rent those lands, those who would extract the resources, fall every year to pay the American people what they are due through a series of schemes, criminal activity, outright fraud, mismanagement. Time and again the American people are not given those rewards.

The shortage of the GAO is not the work product of the GAO, it is the inability and unwillingness of this Congress and the administration to invoke their recommendations. But to say that we will do away with this level of funding for the GAO, that we would slash it, according to Mr. Cox's amendment, is to endorse that criminal activity, that fraud, those schemes that deprive the American people of their due royalties, of their due rent for the use of their public lands. It is billions of dollars a year.

Without the GAO, that type of mismanagement would continue to exist, because there would be no way in which we would find out about it but for the GAO.

Mr. FAZIO. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. CLINGER], the next ranking member of the Committee on Government Operations on the Republican side.

Mr. CLINGER. Mr. Chairman, I must rise in opposition to the amendment. As a colleague serving with the gentleman from California [Mr. Cox] on the Committee on Government Operations, I share his frustration with GAO's operations, and believe me, I share some of that same frustration. However, this amendment, in my view, is draconian in nature and really would completely debilitate GAO. I am convinced this amendment would only serve to make things worse, not better, and in turn our sense of frustration and dissatisfaction would only grow worse.

I met with the Comptroller General recently and had a very frank and candid discussion with him. I expressed to him my concerns. I am hearing from my colleagues concerns about the integrity of GAO reports and investigations, maintenance of a bipartisan relationship with Members and staff, and the use of GAS detailees as professional staff.

My particular peeve with GAO concerns the use of detailees. This is a thorn in the side of myself and many others, especially those of us on this side of the aisle. In fiscal year 1991 there were 26 detailees assigned to the Committee on Government Operations alone, where they in effect worked pri-

marily as additional members of majority staff.

To put this in perspective, for the same year there were only 17 minority professional staff members.

Despite this, Mr. Chairman, I must say that this amendment would in fact gut the GAO, which does provide very valuable service to the entire Congress.

Mr. FAZIO. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. SAWYER].

Mr. SAWYER. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from California [Mr. Cox] to reduce funding levels for the General Accounting Office.

As chairman of the Subcommittee on Census, I have worked closely with the GAO. In my opinion, GAO continues to conduct thorough audits and investigations and to produce balanced and useful reports. Their work adheres to the highest standards of objectivity and professionalism. The work of GAO enhances greatly the work we do here in Congress.

The decennial census is the largest peacetime undertaking of the Federal Government. In terms of oversight, it represents one of the most difficult, concrete, and complex accounting problems imaginable. GAO's efforts to monitor, analyze, and evaluate the census as it unfolded were superb.

GAO monitored progress and reported to the subcommittee even as the census took place. GAO staff at the Census Bureau and around the country monitored census operations on a daily basis.

The subcommittee's close oversight of the 1990 census—including planning, preparation, execution, and evaluation—would not have been complete without that real time auditing approach. Early in the census, for example, the Census Bureau had real problems with its management information system, as well as severe staff shortages. GAO was able to alert the subcommittee so that corrective action could be taken in a timely manner.

GAO also was the first to inform the subcommittee that the census was collecting high rates of surrogate data, which raised concerns about the quality of the count. Without GAO and needed financial and personnel, the quality of oversight—and the census itself—surely would have been damaged.

I think all of my subcommittee colleagues—Democrats and Republicans—would agree that GAO developed and reported its findings with objectivity and fairness. GAO worked closely with staff from both sides to meet all our information needs. GAO recently reported to the subcommittee on the fundamental changes that are needed for the 2000 census. Even now GAO has identified ways to save hundreds of millions of dollars over the next decade, and to improve the quality of the census numbers.

I want to ensure that the next census is more accurate and economical than the last one. Reducing GAO's budget won't help us do that. It might save us a few dollars today, but in the long run it will cost us much more.

□ 1650

Mr. COX of California. Mr. Chairman, I yield 2 minutes to my colleague, the gentleman from California [Mr. HERGER].

Mr. HERGER. Mr. Chairman I rise in support of this amendment, which saves taxpayers \$109 million by reducing funding for the General Accounting Office of the Congress.

Spending on the General Accounting Office has ballooned by 80 percent in just the last 10 years alone. The GAO now has 5,000 employees and 16 regional offices around the country and overseas.

The GAO even serves as a back door means of augmenting committee staff. The GAO is spending \$4 million this year alone providing House and Senate committees with 170 additional employees.

I know some members may contend that this money is well spent, because it seeks to eliminate waste and fraud in Government. I only wish that were true. Sadly, the General Accounting Office's work has taken on a partisan cast that has undermined its credibility. Its reports all too often are crafted to support the leadership's legislative goals.

For example, when the House leaders proposed legislation to implement a system of socialized medicine such as Canada has, the GAO compliantly produced a report lauding Canadian medicine. Only later do we find out the report conveniently neglected to mention the massive tax increases that would be required to finance the system.

When the leadership felt the heat of the House bank scandal, they commissioned a GAO audit of the White House to divert attention away from a major scandal.

This amendment still allows the GAO \$333 million for fiscal year 1993. That should be more than enough to root out waste and fraud—more than enough, that is if the agency devotes its time to genuine investigations rather than partisan activities.

Mr. FAZIO. Mr. Chairman, I yield 1½ minutes to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California. In recent months the General Accounting Office has come under some criticism and our distinguished minority leader has underscored some of those problems. I must say that the GAO I have heard de-

scribed is not the one with which I have become familiar during my many years on the Post Office and Civil Service Committee. GAO's work has contributed directly to our committee's evaluation of the problems of the census and to its efforts to improve the economy and efficiency of the Postal Service and the Federal civilian work force—three of the committee's primary areas of responsibility.

Mr. Chairman, the 1990 census was marked by significant controversy and litigation. Concerns about the accuracy and completeness of the count will not be resolved for years to come. Yet throughout the controversy, GAO has provided the committee with reliable and timely analysis of what was happening and why. By giving us a clearer analysis of the situation, GAO has enabled us to focus and improve upon the quality of our oversight. Moreover, GAO is continuing to assist the committee by pointing out the changes that will be needed for a less troubled, cost-effective census in 2000.

GAO's Postal Service audit site includes fewer than 10 people, yet we have always found their work to be of great value in helping our committee oversee the Postal Service. For example, at our opening oversight hearing on May 12 of this year, GAO representatives discussed the results of their perceptive and well-documented analysis of the Postal Service's automation program. They helped understand the ways in which postal service has failed so far to bring postal costs under control.

Finally, GAO has reported to us many times on the pay, benefits, and management of the Federal civilian work force. It has helped us determine just how well the executive branch is handling work force diversity issues and implementing merit system principles and regulations involving equal employment opportunity. It has identified opportunities to save money on Federal Employees Health Benefits Programs. Most recently, it examined programs run at the Department of Defense and OPM for assisting DOD employees displaced by DOD's downsizing efforts, identified problems, and helped us ensure that these employees are treated fairly.

In summary, Mr. Chairman, the work the GAO has done for the Post Office and Civil Service Committee convinces me that GAO's budget should be viewed not as a cost, but as an important investment in making Government work better. Its clear-eyed examination of how programs operate, and its objective reports of its findings make our legislative and oversight activities that much more effective.

Now more than ever, when we must redouble our efforts to ensure that the American people's tax dollars are well spent, our investment in GAO is one that we cannot afford to cut.

Mr. FAZIO. Mr. Chairman, I yield ½ minute to the gentleman from Pennsylvania [Mr. KANJORSKI].

Mr. KANJORSKI. Mr. Chairman, I rise to oppose the amendment also.

I want to call the Congress, attention to the waste of time sometimes we go through in this process. If we really want to structure the U.S. Government and straighten it out, and eventually balance the budget, it seems to me the only way this Congress can do it is if we force the executive branch to put managerial skills in place as private industry has to accomplish this. Without the General Accounting Office we literally disarm the Congress to force the Executive to do this.

One little part that we are talking about here, millions of dollars, the Congress spends \$26 million a year to travel; the White House, that my subcommittee happens to be investigating, spends \$150 million, six times as much. Without the benefit of examination by the General Accounting Office we could never get these facts, because to my knowledge and from the representations from the White House, nobody down there knows what it really costs to operate that function.

Mr. COX of California. Mr. Chairman, I yield 2 minutes to my distinguished colleague, the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Chairman, I rise in support of the Cox amendment to reduce the Government Accounting Office allocation by one-third. The GAO seemingly has so many employees, that the agency is able to loan a great many of these employees to Congress.

It is no secret that many Members on my side of the aisle feel that the GAO has become nothing but an ideological advocacy organization of the majority party here in Congress; a distant cousin of the unbiased investigatory agency it was set up to be.

However, whether or not this characterization is true is not my point here. The point is this, with so many detailees being utilized by committee and subcommittee chairmen—the same Members who hold GAO reports as the linchpin of their arguments—the appearance of impropriety is indefensible.

At worst, the GAO is guilty of the charges of bias. At best, the GAO is susceptible to these charges. Either way, their credibility is negatively affected.

Mr. Chairman, congressional committee assignments for detailees have become nothing more than an employment pool. In my estimation, it is highly suspect that the steady stream of reports published by the GAO at the behest of certain chairmen are diametrically opposed to academic, industry, and independent reports on the same topic, using the same data.

When the topic is public land use, it is impossible to quantify multiple-use

impact without the infusion of land use philosophy. Obviously, western and eastern land use philosophy differs.

There is no question that the GAO has from time to time provided this body with pertinent important information by uncovering abuses of the taxpayer.

However, I am concerned that the GAO has lost its once credible name, and has degenerated into a tool of certain committee chairman to craft and package an explanation for a predetermined answer.

I urge my colleagues support for the Cox amendment. Let us here today send a message to the GAO, and help them pull out of this tailspin into no credibility.

Mr. COX of California. Mr. Chairman, I yield myself my remaining 1 minute.

Mr. Chairman, I said at the outset of this debate that there is no lobby in America for increased spending on congressional staff. Evidently I was wrong, because for a great part of this debate we have heard from that lobby.

From my efforts to seek to control congressional spending I have even been called a scoundrel, a knave and a thief—by one of my colleagues who voted against the balanced budget amendment.

But the facts are these:

As a result of my amendment this one part of our congressional staff, the GAO, will be frozen at 1988 levels, one-third of a billion dollars. Right now the GAO's budget is 18 times that of the Congressional Research Service. It is 10 times that of the Office of Management and Budget. It is 21 times that of the Congressional Budget Office. It has received increases from 1990 to 1992 of 22 percent. And its cost is more than the cost of all of the management and financial audits nationwide performed by Price Waterhouse.

Mr. Chairman, the GAO is saddled with too much overhead. It costs too much, and it is not independent.

I urge my colleagues to vote yes on the Cox amendment.

Mr. FAZIO. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan [Mr. FORD].

Mr. FORD of Michigan. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from California [Mr. Cox].

This amendment strikes at the heart of Congress' ability to oversee the executive branch. It would emasculate our investigative arm, the General Accounting Office [GAO]. GAO has been instrumental in enabling the Committee on Education and Labor to pursue savings and improvements in the Departments of Labor and Education. For example:

Over \$700 million in financial benefits were realized in programs providing financial assistance to postsecondary students—the Pell grant and guaranteed student loan programs. These financial benefits consisted of: First, \$140 million in reduced Federal expenditures when legislation was enacted requiring that Pell grant recipients have a high school di-

ploma; second, \$305 million in increased defaulted student loan collections due to the extension of the Internal Revenue Service's income tax refund offset programs; and third, \$279 million captured in guaranty agencies' reserves in excess of their needs.

Funding for the Job Training Partnership Act [JTPA] was reduced by \$13.8 million in fiscal year 1990 to reinforce GAO's finding that local programs were entering into contracts for excessive on-the-job training to place participants into low skill jobs.

As a result of GAO's work concerning the employment conditions of foreign workers brought into the United States to harvest sugarcane, the largest user of this labor revamped certain aspects of its contract with the workers to improve the accountability of workers' wage deductions.

On the basis of GAO briefings, testimonies, and a report on the Carl D. Perkins Vocational Education Act, the Congress made major revisions to the act, such as improving allocation of program funds.

Using information from GAO reports on the limited extent of advance notice provided by employers to workers concerning plant closings, legislation was enacted requiring large employers to provide 60 days advance notice to workers in the event of a plant closing or mass layoff.

Based in part on GAO reports and testimony, Congress raised the maximum penalties for violations of workplace safety and health regulations and child labor laws.

The GAO report on legislative and administrative options for improving workers' safety and health led to the first comprehensive reexamination of OSHA's authorizing legislation in its 20-year history. Both the Senate and the House legislators drew heavily on the options GAO identified, incorporating most of them in H.R. 3160, the Comprehensive Occupational Safety and Health Act.

Vote "no" on this amendment. It deserves to be defeated.

Mr. FAZIO. Mr. Chairman, I rise in opposition to the amendment.

We have, in the executive budget requests, significant increases for the administration's junk yard dogs, the inspectors general. At Agriculture, the IG budget is up by 7.1 percent; at Commerce, 19.7 percent; at the Education Department, it is up by over 20 percent. The departmental IG's go up all over the Government, while we have reduced GAO by \$5.5 million in total resources below the current year. They are the junk yard dog of the entire Government, and we have placed very stringent controls on their budget.

Reducing GAO's budget to \$333,333,000 would require GAO to undergo a large-scale reduction in force. This would have a devastating impact on GAO's ability to perform its mission. A reduction in force to achieve a cut of this magnitude requires the separation of an inordinate number of staff to cover the expenses of the RIF itself. A reduction in force which will permit GAO to operate within a budget of \$333 million

will require the separation of approximately half of GAO's 5,000 employees. GAO will have to: Close at least six of its 13 regional offices and both of its overseas offices, thereby eliminating approximately 700 employees. This would: drastically limit GAO's unique on site investigative capability, and severely impact the watchdog presence throughout Government operations.

They would have to terminate 1,800 employees in an agencywide reduction in force in addition to regional and overseas office closings. Such action will materially reduce our subject matter expertise in specific areas where GAO has built outstanding capability over many years because of bumping provisions many employees will be involuntarily moved into areas where they have little or no subject matter knowledge resulting in an unstable job management situation.

This would devastate years of concentrated effort designed to provide a more representative and diverse work force. Because a RIF is driven by seniority and veterans preference, minorities and women will be affected the most. It would also severely impact GAO's ability to develop a high-quality work force for the future. A RIF of this magnitude will force out developing staff first and eliminate hiring for the foreseeable future. This will result in a significant loss of state-of-the-art skills and technological capabilities necessary to effectively address increasingly technical and complex issues facing the Congress.

Also, higher paid people would be placed in positions where they will be performing lower level work. This is due to saved pay provisions of RIF regulations which require that an employee reassigned to a lower level job retain his/her current pay. This will adversely impact morale and will result in spending more than necessary to get the work done. This will create perhaps years of minimal productivity while people are being reassigned and retrained for their new positions.

A reduction of this magnitude will limit GAO's effectiveness in conducting legislative oversight of misconduct and abuse in the executive branch and will deny the Congress the kind of reliable information needed when we consider such issues as: Weapons acquisition; health care; banking legislation; environmental and hazardous waste issues; and financial management issues.

GAO's work has saved the taxpayers billions of dollars. In these tight budget times to cripple the agency is penny wise but pound foolish.

Mr. Chairman, I yield my final 1 minute to the gentleman from Oklahoma [Mr. SYNAR], a well-known oversight junkie.

□ 1700

Mr. SYNAR. Mr. Chairman, my colleagues, let us be honest about this debate. This is not a debate about congressional staff. The General Accounting Office is an independent agency. This is not a debate about saving money.

The General Accounting Office's budget is one-sixth of 1 percent of the Department of Defense's budget. In fact, any one of a dozen investigations that they will conduct this year will more than pay for the budget that they are doing.

What this debate is about is an administration and executive branch and the President that want less oversight over the consistent mismanagement of billions of dollars within the administration.

If we could point to one success story in government, it is the General Accounting Office. If we could point to one agency where we get the best bang for the buck, it is the General Accounting Office.

In 1991 alone they will return \$33 billion to the people of this country. By my calculations, that is \$82 back for every \$1 invested.

If you are committed to the proposition that we should run government like a business, reject the Cox amendment.

Mr. PICKLE. Mr. Chairman, the oversight subcommittee has had a very active agenda over the last number of years and we have been supported in our efforts by the work of the General Accounting Office. We call on GAO when we can't get the information we need from an agency—for whatever reason—sometimes the agency itself just hasn't collected the information. We also call on GAO when we need an assessment of the information, independent of the agency.

Over the years, we have gotten what we asked for. GAO has provided the data and the independent analysis that allowed us to give the taxpayers more value for their tax dollar. We have used GAO's information to get the Customs Service to spend its money more wisely—whether for overtime pay or managing seized property. A year never goes by that we don't use some GAO analysis to make it easier for taxpayers to deal with IRS. And working with GAO, we have improved the operations of the Internal Revenue Service so that enforcement resources are focused where they ought to be. Similarly, GAO has continuously provided us information on the status of the Resolution Trust Corporation's operations so we can continuously focus on whether RTC is doing a good job resolving the multi-billion-dollar savings and loan disaster. Whether it's protecting employees' pensions or making sure that dead people don't get Social Security checks, GAO is our source of reliable information. It all comes back to one thing. When we need to know what's going on in an agency to see if they're operating effectively, we depend on the GAO to get us that information.

MONEY LAUNDERING

The subcommittee on oversight has been working to make the Department of the Treasury programs more effective in addressing money laundering and related Federal tax evasion. GAO-developed information showed us the income tax compliance of individuals transacting business with more than \$10,000 in cash. Similarly, GAO's input was important in understanding the activities of the Treasury's Office of Financial Enforcement and IRS to ensure that financial institutions comply with the reporting requirements of the Bank Secrecy Act.

IRS ACCOUNTS RECEIVABLE

The oversight subcommittee, with information and analysis provided by GAO, has embarked on a multiyear effort to encourage IRS to collect taxes owed the Government. The IRS accounts receivable inventory exceeds \$110 billion. At the subcommittee's last hearing on this topic, GAO presented the results of an analysis of Federal contractors who also owe Federal income taxes. GAO had a number of recommendations as to how IRS could use Government money—in the form of Federal contract payments—to collect the taxes these companies owed. These recommendations will save us money. GAO gave us the same kind of helpful information last year on IRS' largest accounts and accounts of Federal agencies for employment taxes. It was GAO that recommended that the Treasury Department simplify the payroll deposit rules that cause so many small businesses to owe delinquent employment taxes—a step that Treasury recently took.

IRS' BUDGET AND TAX FILING SEASON

Each year the subcommittee on oversight reviews carefully the Internal Revenue Service's plans for the coming year—as embodied in the administration's budget request. The subcommittee also pays careful attention to how well IRS helps taxpayers file their tax returns and processes them upon receipt. The subcommittee relies heavily on the independent investigation and analysis provided by GAO. When GAO said IRS was not answering the telephone calls very accurately, IRS at first was not convinced. After GAO worked with IRS to develop its own test of the calls, IRS became convinced and worked to improve its accuracy rate.

GAO has had some success in improving the quality of IRS correspondence. This year the subcommittee has asked GAO to see whether the notices are going to the right addresses and whether the many forms and publications that taxpayers rely on are in fact accurate. GAO's work in all these areas results in better tax administration in this country; but, even more importantly, GAO's work makes it easier for taxpayers to deal with IRS.

Mr. HUTTO. Mr. Chairman, those of us involved in overseeing this Nation's military readiness—and I chair the subcommittee of that name—have had frequent opportunities to take the measure of GAO. Are its people knowledgeable and consistently objective? Are their reports accurate and informative? Does their work make our work more effective? Based on the many times my colleagues and I have called upon GAO for information and analysis, I would answer yes—wholeheartedly—to each of these questions.

Four examples are worth offering:

The Defense business operation fund will have sales in fiscal year 1993 of about \$81 billion. GAO has helped the committee and its staff better understand how this huge and complex undertaking is run. With GAO findings in hand, we were able to cut DOD's fiscal year 1993 budget request for the fund by \$2 billion—without in any way damaging our military readiness.

Over the past couple of years, an enormous opportunity to save money has become apparent: DOD simply has to do a better job of inventory management. At our request, GAO continues to produce a growing body of work on DOD's inventory management problems. Not only have these GAO studies allowed the committee to effect budget savings of hundreds of millions of dollars, but have led DOD itself to save billions more by improving its inventory management practices.

GAO has also looked into various aspects of the drawdown of forces in Europe. Among other things, GAO identified significant problems in the lengthy process of returning facilities to the German Government—problems that could ultimately lead to increased claims against the United States. Acting on these findings, we directed DOD to negotiate milestones with the Germans for the return of the facilities. In addition, GAO examined the effect of the drawdown both on the troops involved and on installations here in the States should the pace of the drawdown increase.

Among other things, Operation Desert Storm put to the test the readiness and training of our Active and Reserve Forces. At our request, GAO studied the issue intensively, demonstrating that, contrary to what DOD has asserted, reserves have an important role to play in any future contingency.

These are, of course, just four examples drawn from a long list of contributions that GAO has made to our committee. We expect it will make many more. It's worth noting, however, that GAO has not just impressed those of us who oversee DOD programs, but has impressed DOD as well. Through sheer thoroughness and a genuine understanding of defense issues and practices, GAO has convinced the Pentagon to make changes that have saved enormous sums of money without impairing the readiness of our forces. There is no stronger argument, in my mind, for continuing to give GAO the resources it needs to continue fulfilling the mission we have assigned it.

Mr. VENTO. Mr. Chairman, I strongly oppose this amendment, and must take issue with those who have accused the General Accounting Office of producing reports that are inaccurate or biased.

In recent years, to assist the Subcommittee on National Parks and Public Lands with oversight of the management of grazing on public rangelands, I have asked the General Accounting Office to review particular aspects of the range management programs of the Bureau of Land Management and the Forest Service. The results of those reviews have been the subject of a series of GAO reports.

These reports have played an important role in congressional deliberations about range management, including the committee's action on the BLM reauthorization bill last year.

Earlier this year, Resource Concepts, Inc., a Nevada-based consulting firm, submitted a

paper very critical of three GAO reports, including two prepared at my request, that the firm described as "lacking in both technical accuracy and objectivity."

Because of the seriousness of these criticisms, I asked the General Accounting Office to respond to them, and GAO has submitted a point-by-point response.

On May 12, the Assistant Comptroller General testified about this response, and also about two recent GAO reports, prepared at my request, dealing with grazing on public lands in hot desert areas of the Southwest and with BLM's monitoring of grazing activities and the extent to which data from such monitoring is used in actual grazing-management decisions.

In my opinion, the testimony of the General Accounting Office effectively rebutted the criticisms of their reports made by the Nevada firm.

I have only the highest regard for the professionalism of the staff of the General Accounting Office and for the quality of their work. I am firmly convinced that those claiming that the GAO is biased or that their grazing or other land-management reports are not of high quality are attempting to shoot the messenger because of their dislike of the message.

For the information of Members, I attach the May 12 testimony of Assistant Comptroller General J. Dexter Peach in response to the Nevada firm's critique and concerning the other GAO reports recently submitted at my request.

Furthermore the GAO has been instrumental in monitoring the status of the savings and loan bailout progress. The GAO has prepared numerous reports concerning the cost, administration, and information system. These issues are costing the taxpayer billions of dollars and the success of the Congress in our oversight role is directly related to the quality of such reports.

As an appointed task force chairman for a short period without paid committee staff, I would have been unable to do a credible job without the professional quality work effort of the GAO. The administration, the Resolution Trust Corporation [RTC] is the major beneficiary to such reports, and GAO expertise. They rely as much as we to test ideas and gain insights into what works. Hopefully the GAO will not be co-opted in the process by such cooperation. This amendment should be strongly opposed.

[From the General Accounting Office—testimony before the Subcommittee on National Parks and Public Lands, Committee on Interior and Insular Affairs]

RANGELAND MANAGEMENT

(Statement of J. Dexter Peach, Assistant Comptroller General, Resources, Community, and Economic Development Division)

Mr. Chairman and Members of the Subcommittee: I am pleased to be here today to discuss our most recent work addressing the management of the nation's public rangeland. As you requested, my remarks today focus primarily on three recently issued GAO products—(1) our May 4, 1992, response to you and 16 Senators assessing a January 1992 critique of three GAO reports on rangeland management by a Nevada consulting firm,¹

¹ Rangeland Management: Assessment of Nevada Consulting Firm's Critique of Three GAO Reports (GAO/RCED-92-178R, May 4, 1992).

(2) our February 1992 report on rangeland monitoring by the Interior Department's Bureau of Land Management (BLM),² and (3) our November 1991 report on BLM's management of livestock grazing activity in the so-called "hot deserts" of the American Southwest.³ Before describing the findings contained in these reports, however, I believe it would be useful to provide some perspective on the ongoing rangeland management debate and the role of our work in that debate.

BACKGROUND ON THE PUBLIC RANGELAND MANAGEMENT DEBATE

Although the impact of livestock grazing on the nation's nearly 270 million acres of public rangeland has been debated for decades, the controversy has intensified in recent years and months. On the one hand, conservationists have increasingly emphasized the adverse effects of livestock grazing on the land's condition as well as on its productivity for other uses and its preservation for future generations. On the other hand, livestock interests have strengthened their position in defense of longstanding claims to the control and use of the land. Some have taken the position that grazing on federal land is not a privilege but rather a property right comparable to water rights and mineral rights.

In administering grazing activity on public rangeland, the two land management agencies—BLM and the Agriculture Department's Forest Service—are charged with steering a course of balanced stewardship in accordance with the principles of multiple use and sustained yield set forth in the Federal Land Policy and Management Act of 1976 and the National Forest Management Act of 1976, and reaffirmed by the Public Rangelands Improvement Act of 1978. Over the years, we have issued a number of reports and testimonies where we expressed the view that the agencies' performance can be improved. (See app. I for a list of Related GAO Products.) In particular, we have expressed the need for (1) more aggressive enforcement of livestock trespass regulations, (2) more comprehensive data on land conditions and trends, (3) improved performance in fulfilling resource management planning mandates, and (4) greater progress in restoring damaged riparian areas. In each of these reports, however, we have also recognized that resource constraints have substantially hampered the agencies' ability to carry out their responsibilities.

While the land management agencies have, on the whole, reacted favorably to our reports, various interest groups have criticized our work. According to certain livestock interests, our findings have "played into the hands" of those interested in discrediting livestock grazing on the public land. At the same time, others have claimed that our work has not gone far enough in exposing the damage caused by grazing. This criticism from both sides tends to provide support to the independence of our work and the value of our reports in providing decisionmakers with objective information based on sound analyses.

RESPONSE TO NEVADA CONSULTING FIRM'S CRITIQUE

The most visible criticism of our public rangeland work to date is a January 1992 report *A Technical Review of U.S. General Ac-*

counting Office Rangeland Management and Public Rangelands Reports 1988-1990 by a Nevada consulting firm critiquing three GAO rangeland management reports issued between June 1988 and August 1990.⁴ As we demonstrate in our overall and point-by-point responses to the consulting firm's report, the consulting firm's critique is not valid. After careful review, we are confident that our work was performed with due professional care consistent with generally accepted government auditing standards and that our findings are well supported, our conclusions flow logically from the facts, and our recommendations offer reasonable suggestions for addressing the problems we identified.

In its critique, the consulting firm made a number of specific charges with respect to each of the three GAO reports. Our written response thoroughly addresses each of these charges. In addition, the consulting firm highlighted several criticisms for special emphasis.

With respect to our report on declining and overstocked grazing allotments, the consulting firm claimed that we created an unduly negative picture of rangeland conditions and placed undue emphasis on livestock overgrazing as a cause of declining conditions. We disagree. Our report fully disclosed the amount of land in each land condition category and the amount of land that was declining, stable, or improving. Our report then focused on the grazing allotments that were declining and/or overgrazed because (1) our analysis of range managers' responses demonstrated that overgrazing was the most prevalent cause of declining rangeland conditions; (2) overgrazing can seriously, even permanently, damage the land; and (3) overgrazing is a problem that the agencies can address.

Regarding our report on riparian area restoration, the consulting firm asserted that we prepared our report on the basis of selective, unverified anecdotal information that led us to overstate the magnitude of riparian area restoration needs. This assertion is inconsistent with the facts. Our review included field visits and analysis of a large portion of the riparian restoration projects that had been undertaken at that time. Furthermore, we did not limit our review to an examination of individual projects. To verify that our findings were representative of conditions on public land throughout the West, we examined available agency riparian condition inventory data and interviewed agency experts. This work showed that tens of thousands of miles of riparian areas on public rangeland in the West are in need of restoration.

Regarding our report on the federal wild horse program, the consulting firm asserted that we did not bring to light inadequacies in program management because we focused on problems relating to livestock grazing. We disagree with this assertion. Our report included a substantial discussion of management problems associated with program elements that have no relationship to livestock grazing, including the wild horse adoption program, wild horse sanctuary operations, and the prison halter training program. We devoted substantially more discussion to

these issues than to the comparative effects of wild horses and domestic livestock on range conditions. We discussed livestock grazing in our report because during our work it became clear that unsatisfactory range conditions cannot be widely improved by concentrating on wild horse management alone.

While we believe our reports stand on their own merits, it is important to note that a number of others have issued reports or reached conclusions similar to those we presented. These include those by or for Interior's Inspector General, Board of Land Appeals, Wild Horse and Burro Advisory Board, Fish and Wildlife Service, and National Fish and Wildlife Foundation; the Environmental Protection Agency; the President's Council on Environmental Quality; and the Bonneville Power Administration. The State of Nevada's Department of Wildlife has also commented favorably on the quality of our work.

Likewise, both BLM and the Forest Service have recognized the need to address the issues raised in our reports and are taking actions to implement many of our recommendations. For example, in following up on our report on declining and overstocked allotments, the Forest Service has found that nearly one out of every four grazing allotments in its six western regions is considered to be in a declining condition and/or overstocked—a level that is consistent with the data cited in our report—and has developed a detailed action plan for addressing the problem allotments. Similarly, in a December 11, 1991, letter to GAO, the Director of BLM characterized our report on riparian area management as "one of GAO's more comprehensive and expert studies of a very relevant issue."

In contrast to our reports, the consulting firm's critique contains little factual data to substantiate its assertions. Instead, the critique misrepresents our reports' findings to support its positions and challenges the manner in which we presented the facts and the implications we drew from them.

REPORT ON BLM'S RANGELAND MONITORING

Our February 1992 report followed up on the recommendations in our June 1988 report on declining and overstocked grazing allotments. Both reports pointed out that monitoring of allotment conditions is a key component of BLM's grazing management responsibilities. Monitoring on a continuous basis is needed to ensure that existing grazing levels and practices are consistent with the land's ability to sustain the activity. If monitoring indicates that overgrazing is occurring, BLM managers are responsible for reducing authorized grazing to a sustainable level. Under current BLM policy, all grazing level adjustments are required to be based on monitoring data accumulated over several years. In accordance with this policy, BLM established a 5-year time frame—beginning with the issuance of the relevant grazing environmental impact statement—to conduct the necessary monitoring and implement a grazing decision establishing an appropriate grazing level for each allotment. At the time of our review, this deadline had passed on about 14,500 of BLM's 22,500 allotments.

Our review of BLM's performance showed that BLM had completed the required monitoring and issued a decision on appropriate grazing levels for only about 20 percent of the 14,500 allotments covered by environmental impact statements issued more than 5 years ago. It had not monitored about 7,200 allotments at all. For the allotments that it had monitored, it had generally not analyzed the data and decided on the appropriate grazing levels.

²Rangeland Management: Interior's Monitoring Has Fallen Short of Agency Requirements (GAO/RCED-92-51, Feb. 24, 1992).

³Rangeland Management: BLM's Hot Desert Grazing Program Merits Reconsideration. (GAO/RCED-92-12, Nov. 26, 1991).

⁴See *Rangeland Management: More Emphasis Needed on Declining and Overstocked Grazing Allotments* (GAO/RCED-88-80, June 10, 1988), *Public Rangelands: Some Riparian Areas Restored but Widespread Improvement Will Be Slow* (GAO/RCED-88-105, June 30, 1988), and *Rangeland Management: Improvements Needed in Federal Wild Horse Program* (GAO/RCED-90-110, Aug. 20, 1990).

Our May 1991 report on the Forest Service's monitoring performance presented strikingly similar findings.⁵ Our findings in these two reports as well as those in a number of other GAO reports on both BLM's and the Forest Service's range management programs are linked by a common thread: the performance weaknesses we have observed are in large measure a result of resource constraints; the agencies do not have sufficient staffing and funding to perform all the management tasks necessary to effectively administer the current level of grazing activity. If the agencies' performance is to be demonstrably improved, our reports concluded that a better balance between the level of grazing activity and the resources available to administer it is needed.

In this context, our February 1992 report asked the Congress to consider (1) reducing the scope of the existing grazing program or (2) funding an increase in BLM's range management resources. Among the options for offsetting the additional required appropriations would be to increase federal grazing fees.

GRAZING ON BLM LAND IN THE HOT DESERTS

In our November 1991 report on grazing activity on the public land in the hot deserts of the Southwest, we reached a similar conclusion.⁶ Livestock grazing occurs on almost 20 million acres of BLM land in America's hot deserts—some of the most unproductive, yet environmentally fragile, land in the country. We found that current livestock grazing activity risks long-term environmental damage while generating minimal economic benefits and grazing fee revenues that are not sufficient to provide for adequate management. We found evidence of damage caused by livestock grazing on BLM land as well as evidence of livestock grazing's adverse impact on several species. Some damaged land may take decades to recover if it recovers at all.

We also found that BLM lacks the staff resources needed to collect and evaluate data measuring the impact of livestock grazing on many desert allotments. Without these data, BLM is not in a position to assess livestock usage of desert allotments and change usage as needed. Overall, because livestock grazing on BLM's hot desert land poses a high risk to the environment and costs more to manage than it returns to the federal government, we questioned the merits of the activity as it is currently conducted. Our report offered several options for the Congress to consider if it chooses to alter the program. Consistent with our more recent report on rangeland monitoring, these options include providing BLM with more resources or reducing the scope of desert grazing activity.

Mr. Chairman, this concludes my prepared statement. At this time, I would like to submit for the record a copy of our response to the Nevada consulting firm's critique as well as our reports on BLM allotment monitoring and management of hot desert grazing activity. I would also be pleased to respond to any questions you or members of the Subcommittee may have.

APPENDIX I: RELATED GAO PRODUCTS

Rangeland Management: BLM's Hot Desert Grazing Program Merits Reconsideration (GAO/RCED-92-12, Nov. 26, 1991).

⁵ See *Rangeland Management: Forest Service Not Enforcing Needed Monitoring of Grazing Allotments* (GAO/RCED-91-148, May 16, 1991).

⁶ The "hot deserts" encompass the Mojave, Sonoran, and Chihuahuan deserts. BLM manages land in these deserts in portions of California, Nevada, Utah, Arizona, and New Mexico.

Rangeland Management: Comparison of Rangeland Condition Reports (GAO/RCED-91-191, July 18, 1991).

Rangeland Management: Current Formula Keeps Grazing Fees Low (GAO/RCED-91-185BR, June 11, 1991).

Public Land Management: Attention to Wildlife is Limited (GAO/RCED-91-64, Mar. 7, 1991).

Rangeland Management: BLM Efforts to Prevent Unauthorized Livestock Grazing Need Strengthening (GAO/RCED-91-17, Dec. 7, 1990).

Public Lands: Limited Progress in Resource Management Planning (GAO/RCED-90-225, Sept. 27, 1990).

Rangeland Management: Improvements Needed in Federal Wild Horse Program (GAO/RCED-90-110, Aug. 20, 1990).

California Desert: Planned Wildlife Protection and Enhancement Objectives Not Achieved (GAO/RCED-89-171, June 23, 1989).

Public Rangelands: Some Riparian Areas Restored but Widespread Improvement Will Be Slow (GAO/RCED-88-105, June 30, 1988).

Rangeland Management: More Emphasis Needed on Declining and Overstocked Grazing Allotments (GAO/RCED-88-80, June 10, 1988).

Rangeland Management: Grazing Lease Arrangements of Bureau of Land Management Permittees (GAO/RCED-86-168BR, May 30, 1986).

Public Land Management: Issues Related to the Reauthorization of the Bureau of Land Management (GAO/T-RCED-91-20, Mar. 12, 1991).

Management of the Public Lands by the Bureau of Land Management and the U.S. Forest Service (GAO/T-RCED-90-24, Feb. 6, 1990).

Shortfalls in BLM's Management of Wildlife Habitat in the California Desert Conservation Area (GAO/T-RCED-90-1, Oct. 2, 1989).

Change in Approach Needed to Improve the Bureau of Land Management's Oversight of Public Lands (GAO/T-RCED-89-23, Apr. 11, 1989).

Management of Public Rangelands by the Bureau of Land Management GAO/T-RCED-88-58, Aug. 2, 1988).

Restoring Degraded Riparian Areas on Western Rangelands (GAO/T-RCED-88-20, Mar. 1, 1988).

THE CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. COX].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. COX of California. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 134, noes 292, not voting 8, as follows:

[Roll No. 226]

AYES—134

Allard	Coble	Fawell
Allen	Coleman (MO)	Fields
Archer	Combest	Fish
Armey	Cox (CA)	Ford (TN)
Baker	Crane	Franks (CT)
Ballenger	Cunningham	Galleghy
Barrett	Dannemeyer	Gekas
Barton	DeLay	Gillmor
Bereuter	Dickinson	Gingrich
Bilbrakis	Doolittle	Goodling
Billey	Dornan (CA)	Goss
Boehner	Dreier	Grandy
Bunning	Duncan	Gunderson
Burton	Early	Hancock
Callahan	Edwards (OK)	Hansen
Camp	Emerson	Hastert
Campbell (CA)	Erdreich	Hefley
Chandler	Ewing	Henry

Herger	Miller (WA)	Sensenbrenner
Hobson	Mollinari	Shaw
Holloway	Moorhead	Shuster
Hopkins	Murphy	Skeen
Hunter	Myers	Smith (NJ)
Hyde	Nichols	Smith (OR)
Inhofe	Nussle	Smith (TX)
James	Oxley	Solomon
Johnson (CT)	Packard	Stearns
Johnson (TX)	Paxon	Stump
Klug	Petri	Sundquist
Kolbe	Porter	Taylor (NC)
Kyl	Pursell	Thomas (CA)
Lagomarsino	Quillen	Thomas (WY)
Lewis (CA)	Ramstad	Torricelli
Lewis (FL)	Rhodes	Upton
Lightfoot	Ridge	Vander Jagt
Livingston	Riggs	Vucanovich
Marlenee	Rinaldo	Walker
Martin	Roberts	Walsh
McCandless	Rogers	Weber
McCollum	Rohrabacher	Weldon
McCrery	Ros-Lehtinen	Whitten
McEwen	Santorum	Whitten
McMillan (NC)	Saxton	Zellie
Meyers	Schaefer	Zimmer
Miller (OH)	Schulze	

NOES—292

Abercrombie	Dooley	Kildee
Ackerman	Dorgan (ND)	Klecza
Alexander	Downey	Kolter
Anderson	Durbin	Kopetski
Andrews (ME)	Dwyer	Kostmayer
Andrews (NJ)	Eckart	LaFalce
Andrews (TX)	Edwards (CA)	Lancaster
Anunzio	Edwards (TX)	Lantos
Anthony	Engel	LaRocco
Applegate	English	Laughlin
Aspin	Espy	Leach
Atkins	Evans	Lehman (CA)
AuCoin	Fascell	Lehman (FL)
Bacchus	Fazio	Lent
Barnard	Feighan	Levin (MI)
Bateman	Flake	Levine (CA)
Beilenson	Foglietta	Lewis (GA)
Bennett	Ford (MI)	Lipinski
Bentley	Frank (MA)	Lloyd
Berman	Frost	Long
Bevill	Gallo	Lowe (NY)
Bilbray	Gaydos	Lukens
Blackwell	Gejdenson	Machley
Boehlert	Gephardt	Manton
Borski	Geren	Markey
Boucher	Gibbons	Martinez
Boxer	Gilchrist	Matsui
Brewster	Gilman	Mavroules
Brooks	Glickman	Mazzoli
Broomfield	Gonzalez	McCloskey
Browder	Gordon	McCurdy
Brown	Gradison	McDade
Bryce	Green	McDermott
Bryant	Guarini	McGrath
Bustamante	Hall (OH)	McHugh
Byron	Hall (TX)	McMillen (MD)
Campbell (CO)	Hamilton	Mfume
Cardin	Hammerschmidt	Michel
Carper	Harris	Miller (CA)
Carr	Hatcher	Mineta
Chapman	Hayes (IL)	Mink
Clay	Hayes (LA)	Moakley
Clement	Hertel	Mollohan
Clinger	Hoagland	Montgomery
Coleman (TX)	Hochbrueckner	Moody
Collins (IL)	Horn	Moran
Collins (MI)	Horton	Morella
Condit	Houghton	Morrison
Conyers	Hoyer	Mrazek
Cooper	Hubbard	Murtha
Costello	Huckaby	Nagle
Coughlin	Hughes	Natcher
Cox (IL)	Hutto	Neal (MA)
Coyne	Ireland	Neal (NC)
Cramer	Jacobs	Nowak
Darden	Jefferson	Oakar
Davis	Jenkins	Oberstar
de la Garza	Johnson (SD)	Oblen
DeFazio	Johnston	Olin
DeLauro	Jones (NC)	Oliver
Dellums	Jontz	Ortiz
Derrick	Kanjorski	Orton
Dicks	Kaptur	Owens (NY)
Dingell	Kasich	Owens (UT)
Dixon	Kennedy	Pallone
Donnelly	Kennelly	Panetta

Parker	Sabo	Synar
Pastor	Sanders	Tallon
Patterson	Sangmeister	Tanner
Payne (NJ)	Sarpalius	Tauzin
Payne (VA)	Savage	Taylor (MS)
Pease	Sawyer	Thomas (GA)
Pelosi	Scheuer	Thornton
Penny	Schiff	Torres
Perkins	Schroeder	Towns
Peterson (FL)	Serrano	Trafiacant
Peterson (MN)	Sharp	Unsoeld
Pickett	Shays	Valentine
Pickle	Sikorski	Vento
Poshard	Sisisky	Visclosky
Price	Skaggs	Volkmmer
Rahall	Skelton	Washington
Rangel	Slattery	Waters
Ravenel	Slaughter	Waxman
Ray	Smith (FL)	Weiss
Reed	Smith (IA)	Wheat
Regula	Snowe	Williams
Richardson	Solarz	Wilson
Ritter	Spence	Wise
Roe	Spratt	Wolf
Roemer	Staggers	Wolpe
Rose	Stallings	Wyden
Rostenkowski	Stark	Yates
Roth	Stenholm	Yatron
Roukema	Stokes	Young (AK)
Rowland	Studds	Young (FL)
Roybal	Swett	
Russo	Swift	

NOT VOTING—8

Bonior	Jones (GA)	Schumer
Dymally	Lowery (CA)	Traxler
Hefner	McNulty	

□ 1722

Messrs. NAGLE, MFUME, TALLON, LENT, and STENHOLM changed their vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

TITLE III—GENERAL PROVISIONS

SEC. 301. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

SEC. 302. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 303. Whenever any office or position not specifically established by the Legislative Pay Act of 1929 is appropriated for herein or whenever the rate of compensation or designation of any position appropriated for herein is different from that specifically established for such position by such Act, the rate of compensation and the designation of the position, or either, appropriated for or provided herein, shall be the permanent law with respect thereto: *Provided*, That the provisions herein for the various items of official expenses of Members, officers, and committees of the Senate and House, and clerk hire for Senators and Members shall be the permanent law with respect thereto.

SEC. 304. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 305. (a) The Architect of the Capitol, in consultation with the heads of the agencies of the legislative branch, shall develop an overall plan for satisfying the telecommunications requirements of such agencies, using a common system architecture for maximum interconnection capability and engineering compatibility. The plan shall be subject to joint approval by the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate, and, upon approval, shall be communicated to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate. No part of any appropriation in this Act or any other Act shall be used for acquisition of any new or expanded telecommunications system for an agency of the legislative branch, unless, as determined by the Architect of the Capitol, the acquisition is in conformance with the plan, as approved.

(b) As used in this section—

(1) the term "agency of the legislative branch" means the Office of the Architect of the Capitol, the Botanic Garden, the General Accounting Office, the Government Printing Office, the Library of Congress, the Office of Technology Assessment, and the Congressional Budget Office; and

(2) the term "telecommunications system" means an electronic system for voice, data, or image communication, including any associated cable and switching equipment.

(c) This section shall apply with respect to fiscal years beginning after September 30, 1992.

Amendment considered as adopted in the House and in the Committee of the Whole, pursuant to section 2 of House Resolution 499:

On page 34, strike line 17, beginning with "Notwithstanding" through line 20, ending with "amounts" and insert in lieu thereof "Amounts".

On page 34, insert on line 3 after "use" the following: "Provided, That no such amounts may be transferred before the date of the enactment of an Act authorizing the use of funds for that purpose".

SEC. 306. Notwithstanding any other provision of law, and subject to approval by the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate, amounts may be transferred from the appropriation "Library of Congress, Salaries and expenses" to the appropriation "Architect of the Capitol, Library buildings and grounds, Structural and mechanical care" for the purpose of purchase, rental, lease, or other agreement, of storage and warehouse space for use by the Library of Congress during fiscal year 1993, and to incur incidental expenses in connection with such use.

SEC. 307. The amounts deposited in the account established by section 312(d)(1) of the Legislative Branch Appropriations Act, 1992 (40 U.S.C. 184g(d)(1)) shall be available for salaries and expenses of the House of Representatives Child Care Center without fiscal year limitation, subject to the approval of the Committee on Appropriations of the House of Representatives.

SEC. 308. (a) Section 316(a) of the Legislative Branch Appropriations Act, 1990 as so redesignated by section 311(h)(3) of the Legislative Branch Appropriations Act, 1991 (39 U.S.C. 3210 note) is amended—

(1) in the matter before paragraph (1), by striking out "or a Member of the House of Representatives"; and

(2) in paragraphs (1) and (2), by striking out "or Member" each place it appears.

(b) The amendments made by subsection (a) shall take effect on October 1, 1992.

SEC. 309. (a) Section 3210 of title 39, United States Code, is amended—

(1) in subsection (a)(7), by striking out "of the Member, except" and all that follows through the end of subparagraph (B) and inserting in lieu thereof "from which the Member was elected."; and

(2) in subsection (d)(1), by striking out "delivery—" and all that follows through the end of subparagraph (B) and inserting in lieu thereof "delivery within that area constituting the congressional district or State from which the Member was elected.".

(b) The amendments made by subsection (a) shall take effect on October 1, 1992.

AMENDMENT OFFERED BY MR. THOMAS OF CALIFORNIA

Mr. THOMAS of California. Mr. Chairman, I offer an amendment made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. THOMAS of California.

Page 35, line 22, strike out "October 1, 1992" and insert in lieu thereof "the date of the enactment of this Act".

The CHAIRMAN. Under the rule, the gentleman from California [Mr. THOMAS] will be recognized for 5 minutes, and a Member opposed will be recognized for 5 minutes.

The Chair recognizes the gentleman from California [Mr. THOMAS].

Mr. THOMAS of California. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, section 309 of the Legislative Appropriations Act of 1993 is, in essence, H.R. 4104, which I introduced along with a number of cosponsors on January 22. On January 28 the bill was jointly referred to the Committees on Post Office and Civil Service and House Administration. This bill sought to deny Members franked mass mailings to people who are outside their congressional districts and to prohibit House allowances paying for such mailings.

The committees of jurisdiction would not consider the bill in the orderly process of legislative hearings. On April 8, on a motion to recommit to conference, this House, using the content of H.R. 4104 as its vehicle, voted 408 to 8 for the provision in front of us.

The specific amendment that is offered changes the October 1, 1992, effective date, which I believe to have been a clerical error by staff establishing a boilerplate October 1 date for each of these provisions. The amendment would restore to the agreement, as I understand it, in the Legislative Appropriations Subcommittee, to "date of enactment."

The amendment changes October 1, 1992, to "date of enactment." We have already delayed too long. This makes it possible as soon as possible from a statutory point of view.

Mr. FAZIO. Mr. Chairman, will the gentleman yield?

Mr. THOMAS of California. I yield to the chairman of the subcommittee, the gentleman from California, [Mr. FAZIO].

Mr. FAZIO. I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the amendment. I just wanted to indicate that it is my understanding of the Thomas amendment is that in changing the effective date of the section, it does not attempt to be retroactive, or to create some period of uncertainty about the law. That is, the Thomas amendment will take effect on the date of enactment of this bill into law, and will not change the law retroactively, nor make the law uncertain in the period until that effective date.

There may be Members who have not yet mailed their annual questionnaires and similar mailings. They will want the law to be clear as to what they can or cannot do as of a particular date, and will not want to be in an uncertain area about what the law provides or whether the law is changing on them retroactively.

For this reason I am glad the Thomas amendment would make a clear change, drawing a bright line, prospectively rather than retroactively, effective on the date of enactment of this bill.

Is that correct?

Mr. THOMAS of California. That is correct. Members have been mailing on borrowed time long enough, and this does provide a date specific, a date certain, whenever it passes.

Mr. FAZIO. If the gentleman would yield further, I am pleased that we can finally put into effect something we voted on twice during the session.

Mr. THOMAS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. BARTON], who has from the very beginning shared concern about this portion of the law.

□ 1730

Mr. BARTON of Texas. Mr. Chairman, I rise in support of the amendment of the gentleman from California [Mr. THOMAS]. This is a very good amendment. I want to commend the gentleman for continuing to raise this issue.

Mr. Chairman, it is fairly straightforward. Every Member of Congress, as a Member, has a right to mail mass mailings to his existing congressional district, to stay in touch with those constituents. This is an honorable practice, the traditional practice. In redistricting years, unfortunately, we have adopted the practice of allowing Members to mail outside their existing districts, and in my opinion that is a taxpayer financed, indirect way to campaign at taxpayer expense.

The gentleman from California [Mr. THOMAS] has tried continually to end that practice. He has succeeded in getting this in the campaign finance bill

that is going nowhere. He has succeeded in getting it into this bill that is going into law, and what this amendment does is set a date certain.

The paragraph that is in the pending bill says: October. Well, Mr. Chairman, that is too late. We are not going to save any money. By October we are near the election in November, so we would basically continue to mail outside the district up until the election. This amendment says July 15, I believe, or when the bill becomes law, and that has real teeth.

So, Mr. Chairman, I think we should support it. I think we should end the somewhat hypocritical practice of mailing outside our districts for no other reason than to get higher I.D., and we should begin to practice what we preach, which is fiscal accountability and real reform.

I thank the gentleman from California [Mr. THOMAS] for offering this amendment and urge its adoption.

Mr. THOMAS of California. Mr. Chairman, just briefly in closing, the amendment does say date of enactment, but I want to put the Members on notice that section 2 of the bill directs the Committee on House Administration to administratively refuse to pay for those mass mailings that are outside the district, and at the next full meeting of the Committee on House Administration I will seek a date certain of mid-July, July 15, so that we can end this practice even sooner than waiting for this statute to become law.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. THOMAS].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BARTON of Texas. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 417, noes 2, not voting 15, as follows:

[Roll No. 227]

AYES—417

Abercrombie	Bentley	Camp	Hubbard	Natcher
Allard	Bereuter	Campbell (CA)	Huckaby	Neal (MA)
Allen	Berman	Campbell (CO)	Hughes	Neal (NC)
Anderson	Bevill	Cardin	Hunter	Nichols
Andrews (ME)	Bilbray	Carper	Hutto	Nowak
Andrews (NJ)	Bilbrakis	Carr	Inhofe	Nussle
Andrews (TX)	Blackwell	Chandler	Ireland	Oaker
Annunzio	Bliley	Chapman	Jacobs	Oberstar
Anthony	Boehlert	Clay	James	Obey
Applegate	Boehner	Clement	Jefferson	Oliver
Archer	Borski	Clinger	Jenkins	Ortiz
Armey	Boucher	Coble	Johnson (CT)	Orton
Aspin	Boxer	Coleman (MO)	Johnson (SD)	Owens (NY)
Atkins	Brewster	Coleman (TX)	Johnson (TX)	Owens (UT)
AuCoin	Broomfield	Collins (IL)	Johnston	Oxley
Bacchus	Browder	Collins (MI)	Jones (NC)	Packard
Baker	Brown	Combest	Jontz	Pallone
Ballenger	Bruce	Condit	Kanjorski	Panetta
Barnard	Bryant	Conyers	Kaptur	Parker
Barrett	Bunning	Cooper	Kasich	Pastor
Barton	Burton	Costello	Kennedy	Patterson
Bateman	Bustamante	Coughlin	Kennelly	Paxon
Beilenson	Byron	Cox (CA)	Kildee	Payne (NJ)
Bennett	Callahan	Cox (IL)	Kleczka	Payne (VA)
			Klug	Pease
			Kolbe	Pelosi
			Kolter	Penny
			Kopetski	Perkins
			Kostmayer	Peterson (FL)
			Kyl	Peterson (MN)
			LaFalce	Petri
			Lagomarsino	Pickett
			Lancaster	Pickle
			Lantos	Porter
			LaRocco	Poshard
			Laughlin	Price
			Leach	Pursell
			Lehman (CA)	Quillen
			Lehman (FL)	Ramstad
			Lent	Rangel
			Levin (MI)	Ravenel
			Levine (CA)	Ray
			Lewis (CA)	Reed
			Lewis (FL)	Regula
			Lewis (GA)	Rhodes
			Lightfoot	Richardson
			Lipinski	Ridge
			Livingston	Riggs
			Lloyd	Rinaldo
			Long	Ritter
			Lowery (CA)	Roberts
			Lowey (NY)	Roe
			Luken	Roemer
			Machtley	Rogers
			Manton	Rohrabacher
			Markey	Ros-Lehtinen
			Marlenee	Rose
			Martin	Rostenkowski
			Martinez	Roth
			Matsui	Roukema
			Mavroules	Rowland
			Mazzoli	Roybal
			McCandless	Russo
			McCloskey	Sabo
			McCollum	Sanders
			McCrery	Sangmeister
			McCurdy	Santorum
			McDade	Sarpalius
			McDermott	Savage
			McEwen	Sawyer
			McGrath	Saxton
			McHugh	Schaefer
			McMillan (NC)	Scheuer
			McMillan (MD)	Schiff
			Meyers	Schroeder
			Mfume	Schulze
			Michel	Sensenbrenner
			Miller (CA)	Serrano
			Miller (OH)	Sharp
			Miller (WA)	Shaw
			Mineta	Shays
			Mink	Shuster
			Moakley	Sikorski
			Molinari	Sisisky
			Mollohan	Skaggs
			Montgomery	Skeen
			Moody	Skelton
			Moorhead	Slattery
			Moran	Slaughter
			Morella	Smith (FL)
			Morrison	Smith (IA)
			Mrazek	Smith (NJ)
			Murphy	Smith (OR)
			Murtha	Smith (TX)
			Myers	Snowe
			Nagle	Solarz

Solomon	Taylor (NC)	Waters
Spence	Thomas (CA)	Weber
Spratt	Thomas (GA)	Weiss
Staggers	Thomas (WY)	Weldon
Stallings	Thornton	Wheat
Stark	Torres	Whitten
Stearns	Torricelli	Williams
Stenholm	Towns	Wilson
Stokes	Trafficant	Wise
Studds	Unsoeld	Wolf
Stump	Upton	Wolpe
Sundquist	Valentine	Wyden
Sweet	Vander Jagt	Wyllie
Swift	Vento	Yates
Synar	Visclosky	Yatron
Tallon	Volkmer	Young (AK)
Tanner	Vucanovich	Young (FL)
Tauzin	Walker	Zelliff
Taylor (MS)	Walsh	Zimmer

NOES—2

Rahall Washington

NOT VOTING—15

Ackerman	English	McNulty
Alexander	Gaydos	Olin
Bonior	Hefner	Schumer
Brooks	Hyde	Traxler
Dymally	Jones (GA)	Waxman

□ 1753

Mr. DWYER of New Jersey changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

SEC. 310. Effective November 5, 1990, section 106(a) of Public Law 101-520 is amended by striking out "(a) The" and inserting in lieu thereof "Section 9 of the".

SEC. 311. No part of any appropriation contained in this Act shall be used to carry out the provisions of subsections (b)(1) and (b)(3) of section 5 of Public Law 100-480, approved October 7, 1988, as those provisions relate to interior security of the Federal Judiciary Building.

AMENDMENT OFFERED BY MR. GEKAS

Mr. GEKAS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GEKAS: PAGE 36, AFTER LINE 5, INSERT THE FOLLOWING NEW SECTION:

SEC. 312. Section 313 of the Federal Election Campaign Act of 1971 (2 U.S.C. 439a) is amended by striking out "may be" the first place it appears and all that follows through the end of the section and inserting in lieu thereof "shall, when the individual ceases to hold Federal office, as determined by the individual—

"(1) be submitted to the Secretary of the Treasury for deposit in the Treasury as miscellaneous receipts;

"(2) be contributed to any organization described in section 170(c) of the Internal Revenue Code of 1986;

"(3) be returned to the persons who made the contributions;

"(4) be transferred without limitation to any national, State, or local committee of any political party; or

"(5) be contributed to an authorized committee of a candidate for Federal, State, or local office, within the limits provided for by law."

Mr. FAZIO. Mr. Chairman, I reserve a point of order on the gentleman's amendment and wish that he would explain it to the Members.

The CHAIRMAN. The gentleman from California reserves a point of order on the amendment.

The gentleman from Pennsylvania [Mr. GEKAS] is recognized for 10 minutes.

Mr. GEKAS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, at a moment in the history of the Congress of the United States when esteem by the public is at its lowest ebb, when reform is the key word of the day, I offer this amendment to this legislation to help restore some of the integrity which we have so fleetingly lost in this Chamber.

Mr. Chairman, my amendment would end the life of the grandfather clause which protects those individuals who, having become Members before 1980 and who will retire before 1993, to prohibit them from converting the unused campaign funds to their personal use.

The amendment would provide that those individuals would have a perfect right to return the money to the contributors, to forward it to some charity of their choosing, to give it to some political entity dear to their hearts, but under no circumstances to convert it to one's personal use. These funds were contributed for a specific purpose, Mr. Chairman, to aid that individual in attaining a political office. And it should be used for those purposes primarily or for those purposes that are as close to that as possible when someone retires with unused campaign funds.

This legislation, the main legislation has several items in it, Mr. Chairman. The gentleman from California and others will agree that the bill has provisions in it which go to the reform of this institution: the mailings, the fees, the gym, et cetera. If any one of those provisions would have been the one to be offered here in the form of an amendment, we are wondering would the gentleman from California be reserving a point of order.

In other words, Mr. Chairman, this amendment of mine fits perfectly into the pattern, that the bill itself is legislating in an appropriations bill to accomplish those measures of reform. That is why I am asking that in the final analysis that the Chair rule that this amendment is in order.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from California [Mr. FAZIO] wish to be heard on his point of order?

Mr. FAZIO. Mr. Chairman, I would simply say that the Committee on Rules has made distinctions between those which they protected and which they did not. This clearly is not in the protected category, and I would indicate to the chairman that while many, many Members of this body are not at all affected by the grandfather clause and while many who are covered by it have made public their decision not to exercise it or have, by their decision to seek reelection, made themselves ineli-

gible to utilize it, it is important that we keep faith with the Ethics Reform Act which was passed overwhelmingly in this body several years ago.

Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and, therefore, violates clause 2 of rule XXI.

□ 1800

Mr. GEKAS. Mr. Chairman, a point of parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. GEKAS] wish to be heard on the point of order?

Mr. GEKAS. Yes, Mr. Chairman, I do. Is there time available to debate the point of order undertaken by the gentleman?

The CHAIRMAN. Within the Chair's discretion, the gentleman is recognized to debate the point of order.

Mr. GEKAS. Mr. Chairman, the point of order that has been exercised is the one to which I made my previous remarks, that it is legislating, if I am correct, that it is legislating in an appropriations bill. If that is the stem of the point of order, then I submit, again, for the record, that standing alone, any one of a dozen provisions in this legislative appropriations bill that is before us, had it exchanged places with me and with this amendment, would be subject to the same point of order.

The inquiry that I want to make is if indeed any part of the bill, standing alone, would be subject to this point of order, would not mine then be in order?

The CHAIRMAN. The Chair will respond that the rule waived certain points of order against provisions in the bill, but not against all amendments, and the rule was adopted by the House. The Chair is prepared to rule.

Mr. GEKAS. I understand. I made a point of parliamentary inquiry.

The CHAIRMAN. The Chair will continue that the rule did not exempt this amendment from a point of order.

Does any other Member wish to be heard on the point of order?

Mr. WALKER. Mr. Chairman, I wish to be heard on the point of order.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, if I understand correctly, the rule did in fact allow certain amendments to be brought forward on the floor. The rule specifically named amendments. It seems to me that what the gentleman from California [Mr. FAZIO] wishes to do is now step in and suggest that what the Committee on Rules put forward in terms of the specific amendments do not constitute appropriate amendments on the floor because of its legislating in an appropriations bill.

On the other hand, the committee did say, I think the language was "amend-

ments 1 and 9." Some could put an interpretation on that, that that meant the entire scope of the amendments that were listed in the bill, of amendments 1 through 9. I think that of the gentleman from Pennsylvania [Mr. GEKAS] is one of those amendments, and therefore does deserve the protection that was accorded by the rule, and it should be allowed to be made in order.

It seems to me that the intent here was, if I understood the Committee on Rules when they were on the floor earlier, was that these amendments were all to be considered on the floor. It was clear to me that the gentleman from South Carolina [Mr. DERRICK], who brought the rule to the floor, said over and over again that they were allowing 11 amendments to be offered. He specifically made reference to the fact of the amendments brought to the floor, that 11 were set aside for consideration on the floor. Then there is a specific clause in there that relates to these specific amendments.

As I say, there are two interpretations. One interpretation is that it means only amendment 1 and amendment 9. However, when the staff of the Committee on Rules on our side originally read that rule, they believed, based upon what they had heard in the Committee on Rules, that it meant all nine of the amendments.

It is evidently the contention of the gentleman that instead, only two of the amendments of those nine are being offered. So it seems to me the Chairman has a ruling here. The Chairman has to rule whether or not all nine amendments were protected, or whether only two of the nine were protected. The Chairman has to rule based upon, then, what the gentleman from South Carolina [Mr. DERRICK] represented on the floor earlier today, and the representation of the gentleman from South Carolina who brought the rule to the floor earlier today was that all 11 of the amendments were supposed to be considered by the House.

Therefore, one assumes that this one through nine was in fact an entire scope of amendments, not just two.

The CHAIRMAN. The Chair will respond. The Chair is constrained by the language of the resolution adopted by the House, line 25, "All points of order under clause 2 of rule XXI against amendments in the report numbered 1 and 9 are waived."

The Chair is prepared to rule on the point of order of the gentleman from California [Mr. FAZIO].

Mr. FAZIO. Mr. Chairman, I would insist on my point of order. I appreciate the Chair's use of the word "and."

PARLIAMENTARY INQUIRY

Mr. GEKAS. Mr. Chairman, a further parliamentary inquiry. Maybe I did not make myself clear. I believe this requires a ruling by the Chair preliminary

to the point of order that has been fashioned by the gentleman from California [Mr. FAZIO].

What my parliamentary inquiry is, is if this amendment of mine parallels in purpose and in scope and even in language a paragraph already in as part of the bill, where the bill is patently an appropriation bill, and yet there are legislative provisions in that bill, either my bill is in order or the entire bill is out of order.

The CHAIRMAN. The Chair would again respond that the Chair is constrained by the adoption of the rule earlier today by the House on which only certain points of order against amendments 1 and 9 were waived.

Mr. GEKAS. As a point of parliamentary inquiry, is the Chair saying to me that the rule as fashioned overrules any further consideration of the content of the rule?

The CHAIRMAN. The Chair has earlier ruled twice during consideration of amendments in the Committee of the Whole that two other amendments which were offered by a different gentleman from Pennsylvania were in fact legislation on an appropriation bill in violation of the rules of the House, and were not given waivers by the rule that was adopted by the House.

The Chair is restrained by the rule that was adopted by the House.

The CHAIRMAN. Does the gentleman from California [Mr. FAZIO] insist on his point of order?

Mr. FAZIO. Yes, Mr. Chairman, I certainly do.

The CHAIRMAN [Mr. DONNELLY]. The gentleman from California makes the point of order that the amendment offered by the gentleman from Pennsylvania violates clause 2 of rule XXI by proposing legislation on a general appropriation bill.

The gentleman's amendment simply and directly amends the Federal Election Campaign Act of 1971. As such it proposes legislation and does not merely perfect provisions in the bill.

The point of order is sustained.

PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. Chairman, I have a parliamentary inquiry. I think the Chair just ruled this violates clause 2 of rule XX. I know of no violation of clause 2 of rule XX that would be involved here.

The CHAIRMAN. The Chair would respond. The Chair said rule XXI.

Mr. WALKER. I believe the Chair said rule XX.

The CHAIRMAN. The Chair is ruling under rule XXI.

Mr. WALKER. I thank the Chair for that direction. That does make it a little easier to understand.

Mr. GEKAS. Mr. Chairman, ordinarily I would entertain thoughts of appealing this ruling. However, I am constrained to put on the record that as a lawyer and as a Member of this House, I do believe that the Chair's rul-

ing is within the parameters of propriety. However, I still believe that the point that I made about an amendment paralleling provisions in the bill makes it in order. I will not appeal the ruling of the Chair.

The CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 102-609.

AMENDMENT OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SMITH of Texas: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . Each appropriation made by this Act (other than for official mail costs, official expenses of Members, and standing committees, special and select) is hereby reduced by an amount equal to 10 percent of the portion of such appropriation that is provided for in object classifications 21 (travel and transportation of persons), 22 (transportation of things), 23 (rental payments, communications, utilities, and miscellaneous charges), 24 (printing and reproduction), 25 (other services), and 26 (supplies and materials).

Mr. FAZIO. Mr. Chairman, I reserve a point of order on the gentleman's amendment, and look forward to his explanation.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. SMITH] will be recognized for 10 minutes, and a Member opposed to the amendment will be recognized for 10 minutes.

The Chair recognizes the gentleman from Texas [Mr. SMITH].

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the point of this amendment is to cut overhead spending within the legislative branch of the Government by 10 percent, and by overhead spending, I am talking about such items as travel, supplies, and printing. These are common sense cuts. We are not talking about one person losing his job, we are not talking about cutting one program. What we are talking about is saving the American taxpayer \$43 million.

Mr. Chairman, over the last 20 years Government spending in the overhead category has increased at almost twice the inflation rate. It now has swollen to the point where overhead spending comprises almost one-third of the Federal budget.

To my knowledge, it has never been specifically targeted before, never been scrutinized before, and that is what this amendment attempts to do.

Mr. Chairman, there is grassroots support for this amendment. It has been endorsed by the Citizens Against Government Waste, and the National Taxpayers Union as well.

□ 1810

Mr. Chairman, my intent is to over the course of the summer offer a number of similar amendments to other appropriation bills. But I think it is important to start with the legislative appropriation bill in order for us to set an example. This House will have more credibility if we seek to control our own Government overhead costs before we seek to control the costs say of the executive branch.

This amendment, Mr. Chairman, to explain how it works, reduces the overhead spending by 10 percent in six object classifications. And what I am talking about here is a cumulative total.

Notice what we do is give Federal managers flexibility and say to them that in the overall six categories you have to cut 10 percent of your overhead spending. You can choose. You might decide to cut more than 10 percent in one category, such as travel. You might decide to cut less in another category, such as printing. But overall, in a cumulative total of the overhead spending, you must cut 10 percent.

It seems inconceivable to me, Mr. Chairman, that we cannot say to a Federal manager, for example, that you can take 9 trips this year but you cannot take 10 like you took last year. As I say, these are common sense cuts that deserve to be supported.

More than that, Mr. Chairman, we are overdue to scrutinize overhead spending within the Government. The national budget has reached as far as overhead spending goes almost \$300 billion, and it seems to me that businesses, private sector businesses often times cut 10 percent. And we have talked to a number of them randomly in the Fortune 500, and if private sector businesses can cut 10 percent routinely from overhead costs, then cannot just once the Federal Government cut that 10 percent as well, and cannot the Federal Government just once be as efficient as the private sector.

Mr. PENNY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Texas. I am happy to yield to my colleague, the gentleman from Minnesota.

Mr. PENNY. Mr. Chairman, I thank the gentleman for yielding. I simply would like to indicate that I believe his amendment is on the right track.

I was part of a task force in the Democratic Caucus which was chaired by Congressman BYRON DORGAN, and we in fact made the recommendation which had earlier been made by investigative agencies that we go after these administrative accounts throughout the Federal bureaucracy. And our assessment was that we could easily find about 10 percent to cut in all of these accounts throughout the departments and agencies.

And I think the gentleman is correct to suggest that we could do the same

here on Capitol Hill as a way of setting an example, and I would commend him for the amendment and indicate my support. Congressman DORGAN has indicated to me his support for the gentleman's amendment as well.

Mr. SMITH of Texas. I thank my colleague for his support and appreciate his comments.

Mr. Chairman, let me continue to say that this 10-percent overhead cut that I referred to in my amendment does not include Members' official expenses or their franking accounts. In point of fact, they are exempted by my amendment because the appropriation subcommittee has already cut these categories by 19 percent.

Also, committee accounts are frozen, and the result of their being frozen is a 10 percent cut in overhead costs as well, and that is why those particular categories are exempt from my amendment.

The amendment does cover joint and other legislative branch, other agencies, and as I say, if we cut their overhead 10 percent cumulatively we will save the American taxpayers \$43 million.

Once again, Mr. Chairman, these are common sense cuts. They are practical, they are realistic, and they provide us with opportunities to reduce Government overhead costs.

I would like to again thank Members for the support that I have received on this idea of offering this amendment. A resolution cutting overhead costs 10 percent was introduced last year. It has received the support of 68 of my colleagues. It has bipartisan support, and I assume this amendment will as well.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from California [Mr. FAZIO] wish to be heard on the point of order?

Mr. FAZIO. Mr. Chairman, I simply would say, as I indicated in my opening remarks, given the fact that it costs 5.7 percent per employee in order to just keep pace with benefits and longevity increases and cost-of-living adjustments, and given the fact that we are not providing anything like that to that 67 percent of our bill, we will be eating into the overhead in order to make it possible for people to be employed.

Mr. Chairman, most importantly, I wanted to indicate that I must make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill, and therefore violates clause 2 of rule XXI.

The CHAIRMAN. Does the gentleman from Texas [Mr. SMITH] desire to be heard on the point of order?

Mr. SMITH of Texas. Mr. Chairman, I would like to be heard against the point of order.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. SMITH of Texas. Mr. Chairman, first of all I would like to say to my colleague from California that I appreciate the efforts that he has made in trying to get to his overhead costs, and I certainly applaud him and appreciate the work he is doing. My point here is that with my amendment we can get to those overhead costs in a direct fashion. We would not have to get it in an indirect fashion that my colleague just described, trying to squeeze those overhead costs, sort of coming in the back door.

Mr. Chairman, the point of order before the House raises significant and important questions regarding House precedents.

And I ask the Chair's indulgence and I ask my friend from California's indulgence so that I may address specifically those precedents as they apply to my amendment.

Questions I intend to address are whether the amendment legislates issues of alleged vagueness, and whether the reduction is speculative.

First, the amendment before the House does not legislate.

The amendment conforms to and rests upon Federal appropriations and budget law.

It would require officials to assume no new duties and responsibilities.

A fiction that there might attach some new duty or responsibility can only be sustained in the dark, by barring the mind's door against the existence and operation of these laws.

Then the illusion would seem to be that the House has before it a one-dimensional snapshot of legislative branch budget.

The legal and practical reality is that it has a hologram, a three-dimensional body of budgetary law, clear and certain, known to all those that have a responsibility and a duty to implement the 1993 legislative budget.

Included within the body of law which underpins this legal reality are numerous decisions of the Comptroller General including: 35 Comp. Gen. 306, 308 (1955); 28 Comp. Gen. 296, 298 (1948); 26 Comp. Gen. 545, 547 (1947); 23 Comp. Gen. 547 (1917); B-125935.

This body of law gives legal and binding status to budget accounts such as object classes.

They establish the legal framework within which Federal appropriations are controlled and implemented.

They are definite.

There is only one budget, one law, and one set of budget data.

And the data is readily available to all.

Members may leave this Chamber and pick up in H-218 of the Capitol a precise, detailed listing of each account referenced in the amendment for each organization within the scope of this amendment.

The Legislative Appropriations Subcommittee has published this data in official House document number 50-979.

Every legislative branch official responsible for obligating funds and managing official expenses is or should be familiar with the object classes cited in the amendment.

They can quickly identify for anyone what the balance is in each account.

For it to be otherwise, we would have to admit to the American public that legislative branch officials are conducting the people's business wholly outside Federal appropriations law and without dutiful oversight of the requirements of the Anti-Deficiency Act which prohibits the obligation of taxpayer moneys without an appropriation by the Congress.

Further, each Member in this Chamber gets a monthly statement of his or her expenditures. The Speaker and each member of the leadership, the Parliamentarian and each and every other office that is responsible for managing expenditures in these accounts has similar reports.

Those statements directly reference the object classes identified in my amendment.

My amendment does nothing to repeal or alter the legal structure within which we in the legislative branch conduct our financial business on behalf of the American people.

Does the amendment require new duties and responsibilities?

No.

The amendment is self executing.

Each financial administrator in the legislative branch will, upon adoption of my amendment, know with a quick glance at the identified accounts, what reduction he or she is to take.

As noted previously, law has created a three-dimensional budget that by our fiscal laws includes clear, uniform accounts including certain object classes.

The 1993 budget numbers in those accounts are definite and knowable, and—upon enactment of the bill—require that certain duties and accountabilities be met.

There is no leeway for discretion in deciding what amount is available in any given account.

My amendment requires: No new management responsibilities; No new personnel; No changes in job descriptions; No change in organization policy and procedure manuals and; No new oversight functions either by this body or legislative branch personnel.

Only by assuming that we are not governed by the appropriation laws that are imposed on every executive and judicial branch department, can this body close its eyes to its responsibility to act on a question of whether to reduce its own costs.

To sustain the argument that this amendment legislates, the House must first deny the existence of fiscal law and then rule that the amendment before the House would either change or add to that body of non-existent law.

Therefore, I would first ask the Chair to rule that my amendment does not legislate.

Second, should the Chair rule that my amendment is legislation, I submit that it falls within the protections of the Holman rule.

Under House precedents, unless an amendment proposes legislation which will retrench an expenditure with definite certainty, it is not in order under the Holman rule.

House precedents require that the reduction must be certain, not speculative.

SEC. 5.2 To come within the purview of the Holman rule, it must affirmatively appear that a proposition, if adopted, will retrench expenditures as a definite result, not as a probable or possible contingency.

The decision is based on a 1940 ruling. In that instance, a member offered an amendment which stated in part "that the provisions of this Act shall not apply to a sale of bituminous coal for the exclusive use of the United States or of any State or Territory of the United States. * * *

During debate on a point of order raised to the offering of the amendment, the sponsor confessed in part:

About 35,000,000 tons of coal will be used, and it will cost the Federal, State, and city governments approximately \$3,850,000.

On the facts, that precedent is readily differentiated from those concerning the amendment before the House today.

The sponsor conceded that an exact amount of the retrenchment was uncertain.

Elements in the amendment equation were outside the control of Federal officials.

It was based on estimates of coal usage.

In the present amendment, the budget requests are precise and certain, and upon enactment, binding.

In this 1940 precedent, the Chair directed attention to Cannon's Procedure in the House of Representatives which provides in part:

* * * a retrenchment conjectural or speculative in its application, or requiring further legislation to effectuate, is not admissible.

The reduction * * * must appear as a certain and necessary result and not as a probable or possible contingency.

Mr. Chairman, the reduction in my amendment is not conjectural or speculative.

The accounts and the amounts in those accounts in the budget before the House are as a matter of law and legislative branch administrative practice precise, definite, and allow for no discretion in being ascertained.

House adoption of my amendment can have by law and related administrative practices but one result.

By appropriations law the amendment effectively is self enacting.

No discretion is either called for or permissible.

Cannon's Procedure in the House of Representatives notes further:

It must affirmatively appear upon the face of the bill that the proposition, if enacted, will retrench expenditures.

Cannon's goes on to elaborate:

A retrenchment of expenditure relied upon to bring a proposition within the exception to the rule prohibiting legislation on an appropriation bill must be apparent from its terms, * * *

Mr. Chairman, I submit to you and my colleagues that the terms of my amendment affirmatively establish that the proposition, when enacted, will retrench expenditures.

The term object class and the object classes for travel and other similar expenditures are terms established in Federal appropriations law and administrative practices.

They are uniformly recognized throughout the legislative branch and the Federal Government by officials charged with controlling the obligation of taxpayer dollars.

As the House acts on the appropriation measure before it, it is bound as a matter both of common sense and law to adopt and accept the terms clearly established and recognized in Federal appropriations law.

The argument that the terms of my amendment do not "affirmatively" appear upon their face to retrench expenditures is to argue that the House is not to recognize and accept appropriation law terms when acting on spending measures.

If not these terms and legal requirements, then what terms?

An objection has been raised and sustained in the past when it was contended that one could not look at the bill and the given amendment and tell whether the amendment would reduce expenditures.

That is not the case in the present situation.

It is a mistake of fact and a mistake in law to assume that the exact figures in the object classes are "estimates", that they are not certain as a matter of law.

They unequivocally are certain.

This body has enacted the very laws that make that the case.

To illustrate, such numbers are readily available in the 1993 legislative branch budget, which will become binding upon being signed into law, consider that \$4,020,000 is to be appropriated for the Joint Economic Committee.

Spending in object classes 21 through 26 for the Joint Economic Committee totals \$160,000.

And upon adoption, my amendment reduces that by 10 percent or \$16,000.

That is a 0.4-percent reduction.

For every appropriation in the legislative branch budget the same certain, definite dollar amounts are readily available and are, as a matter of law, incorporated into the bill we will enact.

It may interest the Members to know that the overall reduction for the House is 2 percent.

Mr. Chairman, I ask that my amendment be ruled in order.

□ 1820

The CHAIRMAN. Does the gentleman from California [Mr. FAZIO] wish to be heard further on the point of order?

Mr. FAZIO. Mr. Chairman, may I be heard briefly to further reiterate my request for a point of order against the amendment on the grounds that it violates clause 2 of rule XXI.

The President's budget does provide backup material to some accounts in this bill, breaking down the budget requests by object class categories to help us come up with a recommendation. However, the President's budget does not include such detail for all accounts in this bill, so the first problem is there are no official object class breakdowns for some of the accounts in this bill.

But more important, even if we had all of the object class estimates, there is no direct correlation between the appropriation line items in the bill, which are broader accounts, and the budget backup material that is provided to the committee.

Mr. Chairman, there is simply no way of correlating the amounts in the bill back to each and every object class named in the amendment. No such object class dollar amounts are included in this bill.

Quite simply, the gentleman's amendment is defective, because there is no starting point from which to cut. It is impossible to implement this or to know how much, if any, would be saved under this amendment.

I, therefore, submit that it does not qualify as a retrenchment under the rule, and I would be greatly relieved if the Chair would rule at this time.

The CHAIRMAN. Does the gentleman from Texas [Mr. SMITH] wish to be heard further?

Mr. SMITH of Texas. Mr. Chairman, I would like to respond briefly to my colleague's comments.

The first point I would like to make, and to reply to the comments of my friend, the gentleman from California, that the categories that the amendment references are incorporated into the act by law and are, frankly, all known to every single individual who administers it. No additional research is necessary.

My colleague from California wondered whether I would be able to come up with the exact figures the cuts would entail. I will be happy to share these figures with him in as much detail as he would like. For example, under the legislative appropriations title I, the House of Representatives, we exempted the official expenses of the mail and the committees; the cuts would amount to \$3,253,000, or a 4-percent cut. Under joint items, for example, a 10-percent cut would amount to \$21,725,000, or a 6-percent cut. Under other agencies, the total cuts would be \$18,916,000, or 3 percent, and the total under title I of legislative appropria-

tions would be \$43,894,000, or an overall cut of 2 percent.

The CHAIRMAN. Does the gentleman from California [Mr. FAZIO] wish to be heard further under the point of order?

Mr. FAZIO. Mr. Chairman, I would be happy if the Chair would just simply rule, if he would.

The CHAIRMAN. Does the gentleman from Texas [Mr. SMITH] wish to be heard further?

Mr. SMITH of Texas. No, Mr. Chairman.

The CHAIRMAN (Mr. DONNELLY). The Chair is prepared to rule.

The gentleman from California makes a point of order that the amendment offered by the gentleman from Texas violates clause 2 of rule XXI by legislating on a general appropriation bill.

The Chair is guided by the precedent of May 17, 1951. That ruling is recorded in "Deschler's Precedents" at volume 8, chapter 26, section 506:

"An amendment to an appropriation bill providing for percentage reduction in accounts carried in the bill to be computed by applying percentages to the corresponding estimates in the President's budget was held to be legislation and not in order under the Holman rule inasmuch as no reduction was shown on its face, and any reduction thereunder would be speculative."

The Chair noticed that in the gentleman's response to the point of order he did not make mention of that May 17, 1951, precedent.

So, based on that precedent, the point of order is sustained.

□ 1830

The CHAIRMAN. It is now in order to consider amendment No. 9. For what purpose does the gentleman from Kansas rise?

AMENDMENT OFFERED BY MR. ROBERTS

Mr. ROBERTS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ROBERTS:
Page 36, after line 5, insert the following new section:

SEC. 312. None of the funds made available by this Act may be used for any expense of a legislative service organization.

The CHAIRMAN. Under the rule, the gentleman from Kansas [Mr. ROBERTS] will be recognized for 20 minutes, and the gentleman from California [Mr. FAZIO], who is in opposition, will be recognized for 20 minutes.

The Chair recognizes the gentleman from Kansas [Mr. ROBERTS].

Mr. ROBERTS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the amendment offered by myself and Mr. WALSH of New York.

First, let me disabuse Members as to what we are trying to accomplish. This is not an attempt to do away with, eliminate or perjure the intent of legislative service organization or caucuses.

It is what I would call, a reform effort to prevent yet another House scandal or at the very least practices and relationships that should not continue.

The time has come to make, to force the House to face a difficult decision, one we have avoided in the past and one that is crying out to be addressed. As I stated before the Rules Committee yesterday, I feel this problem is an accident waiting to happen and if we fail to address it, we should be charged with leaving the scene of an accident.

And, like so many business as usual practices around here, I know it is difficult to step back and take action you may not think warranted or action that would be contrary to your personal interest. And, I know many worry about what lurks behind the banner of reform and the law of unintended effects or for that matter the intent of amendments like this one.

Again, we are not trying to outlaw LSO's, some 92 congressional member organizations exist in the Congress today without using taxpayer funds and comingling staff and activities with special interest institutes.

What are LSO's?

Legislative service organizations are voluntary groups in which members may join. What makes them unique is their ability to pool members' official funds—official expense allowance and clerk hire moneys—to hire staff, acquire Hill office space and conduct full-time legislative operations. They form themselves into a special interest committee on Capitol Hill. They are not unique to one party and one political sector.

This ability to gather and use official funds makes them unique compared to other informal congressional caucuses and organizations.

LSO's support and serve a legislative purpose for Members. Many provide research, information and other support activities for their members. Many do their mission well and this amendment is not meant accuse them all of inappropriate activities.

RULES AND REGULATIONS

LSO's and the ability of the House Administration Committee to regulate them has long been a major concern. Since instituting reforms in 1982—brought on by detailed reports by the Better Government Association regarding congressional caucuses being awash with corporate funds—the House Administration Committee has struggled to apply vague regulations and rules for legislative service organizations. It was thought in 1982 the only way to clean up the House's past indiscretions was to create a system totally dependent on taxpayer funds for these caucuses. However, the result has been the opposite.

The 1982 regulations attempted to end the infusion and intermingling of private, special interest moneys into congressional caucuses. The true result

was the creation of private funded institutes closely related to these caucuses and outside the scope of many House rules and regulations—simple rules that currently apply to every Member and committee office.

In realizing the errors that had been made with establishing these organizations, the House Administration Committee quickly imposed ceiling the number of organizations that could be allowed LSO status. Today that artificial limit remains at 30—with dozens of the other official caucuses petitioning the committee to be granted LSO status. The committee has continually argued that once reforms of current LSO rules have taken place, these dozens of organizations petitioning for LSO status would be considered.

Over that last 10 years, the House Administration Committee has created four bipartisan task forces to review the practices of LSO's. Three task forces came back to the committee with a series of recommendations that have gone without implementations and the violations they have found have simply gone unaddressed.

I served on two of these task forces and a task force has been created in the 102d Congress that is chaired by Mr. GEJDENSON and Mr. WALSH is representing the Republicans.

SOME OF THE PROBLEMS

In summary, these are some of the abuses that have occurred and will continue to occur until the House acts:

First, the accountability of spending by LSO's is severely lacking. This allows LSO's to spend taxpayer funds for items forbidden in Members' and committee offices. In addition, these LSO's are not required to be audited.

Second, the creation of LSO's in 1982 led to the creation of several privately funded, affiliated foundations. This relationship has led to a commingling of private and public funds.

Third, staff between LSO's and private institutes are commonly shared. This allows private, corporate interests to fund an inside individual or contact to obtain inside-the-Hill information.

Fourth, House rules do not cover LSO's regarding nepotism, dual employment by staff between LSO's and private foundations—and even PAC's. This has led to flagrant abuses that would not be allowed in Members' or committee offices.

Fifth, LSO's are able to overcharge Members' official expense allowance and clerk hire to create huge surpluses.

Sixth, LSO's are duplicative of the current committee structure. They use the limited resources, funding, and space that could be used by Member and committee staff.

PAST EFFORTS FOR REFORM

For years, I have been one of those advocating the simple extension of House rules to bring these organizations under the complete rules of the House. Now, after working on this issue

for 8 years, I feel the time has come for a final solution. This has gone on for too long and now it is too late to separate the good from the bad.

Simply, I feel the issues regarding LSO's have grown beyond control. For that reason, I have coauthored this amendment. In fact, my colleagues should all be aware, that should these organizations wish to continue, should this amendment pass, nothing would forbid these organizations from being operated out of a Member's office or transferred to a private institute or organization off the Hill.

Mr. FAZIO. Mr. Chairman, I am happy to yield 1 minute to the gentleman from Connecticut [Mr. GEJDENSON], a member of the Committee on House Administration.

Mr. GEJDENSON. Mr. Chairman, this is simply a bad amendment. It is an amendment that would force us to duplicate the efforts that Members can achieve collectively individually. So if your State is interested in a transition of northern industrial States, those of us who are members of the Northeast-Midwest Coalition, you cannot do that work together anymore. You have got to hire 435 of these staff people.

If you think energy is an important issue and ought to be part of the future of this country, you cannot work together on energy. You have to do it individually, hiring all your staff individually and duplicating these efforts.

It seems to me that this is simply a bad idea. It ignores the work that we are doing in the House Administration Committee. We have proposals that will work their way to the floor shortly, I believe, that will deal with accounting of GAO reviews, the GAO by the way that they wanted to do away with a little while ago, another organization that saves us money.

It seems to me mind-boggling that people come to the floor with proposals that would actually drive up the cost of doing business and complicate the efforts of Members trying to achieve legislative goals. In the crisis of energy that we are in today, it would be a disaster to do away with this. There are reasonable things to do. This is not a reasonable action.

Mr. ROBERTS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. WALSH], the coauthor of the amendment.

Mr. WALSH. Mr. Chairman, I thank my distinguished colleague, the gentleman from Kansas, for his leadership on this issue.

I, too, am a member of the Committee on House Administration and have been for the past 3 years. I do not have the depth or breadth of experience that my colleague, the gentleman from Kansas does, but I have been at this issue now for some time.

It seems to me that it needs attention and it needs the attention of this House now. It has dragged on far too long.

Over the last several years many Members have come to the Committee on House Administration and to the legislative appropriations asking for increases in their clerk hire accounts, the ability to pay their staffs a proper wage and to provide the constituent services that they need to provide.

□ 1840

One of the reasons that they cite in needing more money is that they need more money to be members of legislative services organizations. Why would they need that? Because businesses and other organizations back home are putting pressure on them to join these organizations.

The implication is if you do not join them, you are not protecting that industry, you are not protecting your own constituency, not protecting your own turf.

So there is pressure there. Taxpayers' money is being used for these special-interest caucuses. Make no mistake about it, these are special interests; outside interests are setting the agenda to aid these industries.

There is nothing wrong with industry taking an interest in what is happening legislatively, but the fact is that we are using taxpayers' money commingled with private industry money to set agendas that benefit these businesses.

Using taxpayer funds to further the interests of these groups is a conflict of interest. Caucuses are allowed to do things that Members of Congress are not allowed to do.

We are forbidden by our ethics laws; for example, spouses of Members may be hired by legislative service organizations through these commingled funds. We cannot do that, and we should not. We should not be able to hire our family members to work on congressional payrolls. It is a conflict of interest.

Also, gifts are purchased, meals, travel, promoting these interests, they are all allowed under these rules that have been established to allow for legislative service organizations.

There is a gentleman who, as many of you know is no longer here, our former colleague, the gentleman from Minnesota, Mr. Frenzel, who termed this "gaming the system." That is what we are doing, gaming the system, getting around the rules.

Caucuses have grown like crazy over the last 20 years. They place huge demands on our clerk hire funds, on our staffs, on our time and on space in these buildings. We are all working in cramped space, at least the junior Members are. We need additional space. This would free up space.

All of our great civil rights laws, our impoundment laws, tax laws have been passed without the aid of legislative service organizations. They are a relatively new occurrence in the great

history of this Nation. For 200 years we have survived without LSO's. Now we have 30 of them over the past 10 years.

We do not need them.

In the past 10 years there have been four task forces implemented studying LSO's. Yet not one single recommendation from these task forces has been implemented.

As Members, we have other ways of getting this specialized information. The Dow Jones Report, the Hoover Institute, the Council of Governments, the Brookings Foundation, Heritage Foundation, all of these organizations provide us with the information we need.

Our Government, my colleagues, is simply too big. We had a \$400 billion deficit last year; we will have a larger deficit this year.

This is one way, one small way that we can scale back the size of Government. We have had a committee structure that served this Nation well for 200 years. Now we are overlaying more committees on it.

People say, "Why don't you go after the select committees?" Maybe we should. But you are never going to start to scale down the committee structure until you get at the superstructure of nonofficial legislative organizations such as LSO's.

We do not need another layer of bureaucracy.

Americans are urging us to change the way we do business, to change and retrench and downsize Government. This is a painless way to scale down on the size of our huge congressional budget. This is an opportunity to vote for change, not to vote for change for change's sake but for reform.

Does this save money? By its very nature, no, it does not. It gives us one less place to spend taxpayers' money, however.

Many people might consider that a benefit.

If you are for change, if you are for reform, if you are for smaller Government, I would urge you to support the Roberts-Walsh amendment. Join us and vote to end the use of taxpayers' money to fund special-interest caucuses.

Mr. ROBERTS. Mr. Chairman, I yield myself such time as I may consume.

I would like to take a short amount of time to respond to the gentleman from Connecticut [Mr. GEJDENSON] who spoke in behalf of the Environmental and Energy Study Conference, which I understand is an LSO. In 1985 we had something started called Environmental and Energy Study Institute. So, in fact, the caucus is hooked up in a relationship with that institute. Four Senators serve on its board. Its annual budget is about \$1.5 million, and comes mostly from foundations.

If you look at the spreadsheet with regard to the expenses, you have shared staff with the caucus and with

the institute. It is that relationship where there is a potential problem.

There are some transportation costs here that would have to be vouchered to the House Administration Committee if you were a Member office or if you were a committee staffer. It is that kind of procedure that I think we should establish also for the caucus.

I am not trying to perjure the energy caucus; I am not trying to perjure the Energy Study Institute. Doubtlessly they do valuable research and briefings for Members and staff. But with \$1.5 million, why do we have to use clerk hire? Why do we have to use official expenses and have shared staff? We could do it without this.

Mr. Chairman, I reserve the balance of my time.

Mr. FAZIO. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. WEISS].

Mr. WEISS. I thank the gentleman for yielding this time.

Mr. Chairman, I must rise to state my strong opposition to the amendment to prohibit the use of official funds for legislative service organizations.

The intent is clear—to eliminate legislative service organizations and a Member's right to belong to them. Frankly, I am perplexed by the motivation behind this amendment. Caucuses provide bona fide legislative services which assist Members in serving constituents, in gaining specific and useful information on issues, and in being able to share common interests and purposes with other Members.

For instance, the arts caucus—of which I am chair—monitors every type of cultural legislation and reports to its Members weekly on issues ranging from copyright to appropriations to trade issues to technological innovations in cultural industries.

Furthermore, it is particularly ironic that these amendments are being offered immediately following the opening ceremony of the Congressional High School Art Exhibition. This activity, which brought to the Capitol young student artists, and their families from all over the country and garnered the support and participation of 256 House offices from every region and both parties, is the finest example of the activity which an informal legislative caucus can promote.

For those of us who utilize the caucuses to serve our constituents and see the hard work that can make a congressional high school art competition possible and that can monitor cultural legislation so effectively, I ask that my colleagues vote against these amendments and to do so resoundingly.

Mr. Chairman, I must say that with all of the red-herrings about spouses, I know of two spouses in the caucuses. The one case where the male Member's spouse happens not to be a member of the arts caucus, deliberately from the

very beginning, so there is no conflict. Second, one of the spouses had the job before the marriage took place. So this is just a lot of hogwash and distortion.

Mr. FAZIO. Mr. Chairman, I yield such time as he may consume to the gentleman from Oklahoma [Mr. MCCURDY].

Mr. MCCURDY. Mr. Chairman, I rise in opposition to this amendment.

This amendment would prohibit the use of Members' clerk hire and official expense accounts to fund legislative service organizations. This amendment does nothing to reduce spending by this institution. On the contrary, it would forbid the efficiencies inherent in pooling resources to meet our legislative needs.

Legislative service organizations allow Members access to analysis and information in areas in which they and their constituencies share common interests. In many cases these organizations help us break through partisanship and work together to find common ground.

This amendment would further limit the ability of this institution to provide an equal and independent check on the vast resources of the executive branch. The argument that the information and services provided by LSO's are duplicated outside of Congress only exacerbates concerns about the influence of special interests. LSO's are legislative organizations whose sole purpose is to assist their members.

In the case of the Sunbelt caucus, for instance, a small staff provides valuable information and service to a large number of Members. The regional perspective provided by the Sunbelt caucus encourages Members to broaden their outlook and lessens the tendency toward narrow parochialism.

Mr. Chairman, if each Member of the Sunbelt caucus assigned one staffer to do the work provided by the caucus, it would cost an additional \$2 million in staff salaries and benefits. Certainly there are concerns about accountability in LSO operations, and the Committee on House Administration is already considering proposals to improve the system. But the destructive, scorched earth attack of this amendment on this otherwise efficient use of our resources is outrageous.

I urge my colleagues to vote against this amendment.

Mr. FAZIO. Mr. Chairman, I yield 4 minutes to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Chairman, there has been a lot of talk, there has been a lot of talk about commingling of bad information here. As chairman of the Environmental Study Conference, let me respond very briefly to my colleague and say that, simply put, there are no employees at the EESC, the LSO who are working for the institute or foundation. Indeed, there are totally separate books. I have been cochair of this organization for 4 years and not affiliated with the institute. Indeed, the ties that are there are growing steadily, steadily apart. Mr. Chairman, I resent that wrong information.

It is this kind of information or misinformation we have been faced with.

I would like to ask my colleague, the gentleman from Texas [Mr. DELAY] if he would yield for a colloquy.

Mr. Chairman, the gentleman from Texas [Mr. DELAY] has chaired the largest Republican organization in the House other than the Republican conference itself. I would ask Mr. DELAY whether his staff contacted the minority staff of the Committee on House Administration to determine problems they found with LSO management.

Mr. DELAY. Mr. Chairman, will the gentleman yield?

Mr. WISE. I yield to the gentleman from Texas.

Mr. DELAY. I thank the gentleman for yielding.

Mr. Chairman, yes, the staff director participated in a meeting some weeks ago which included the minority staff of the House Administration Committee and, in particular, the staff responsible to the authors of this amendment. At the time, he and other LSO directors asked repeatedly for evidence of impropriety or even the appearance of impropriety. While we cannot say that LSO's are 100 percent pure, we can say that when those who have made allegations were put on the spot, they were unable to produce any specifics. They, in fact, conceded in that meeting, and I use their own words, that 99 percent of LSO expenditures are not questionable. While that leaves open 1 percent, they could produce no specifics of even any indication of impropriety.

□ 1850

They further stated that, while they had carefully and repeatedly reviewed the quarterly filings of LSO's, they had not at any time contacted any LSO to indicate that they felt a reported expenditure was questionable, nor had they urged that the committee or the majority staff make any such contact. To my knowledge they have at no time asked for a formal or open hearing for consideration of any such charges, nor have they filed a report or in any way reduced to writing any specific allegations or evidence to support such allegations.

Mr. WISE. Mr. Chairman, I thank the gentleman from Texas [Mr. DELAY], and, as chair of the Democratic Study Group, he and I preside over approximately 90 percent of the House in terms of membership. We have found the same pattern. Our staff director found the same thing out in his inquiries.

Mr. Chairman, this has been innuendo of the worst order. It concerns me because indeed LSO's save money for the taxpayers. The \$700 that is paid for the energy, environmental energy, study conference, the money that is subscribed to the Democratic Study Group or the Republican Study Committee, is a savings to the taxpayer because it means we do not have to have one or two \$25,000 legislative assist-

ants. Indeed, if this amendment passes and each person has to then come back for another legislative assistant, it will double the amount the taxpayers are paying, not reduce.

Mr. DELAY. Mr. Chairman, will the gentleman yield?

Mr. WISE. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Chairman, I tend to agree with the gentleman from Kansas [Mr. ROBERTS] in that we need accountability and we need to be able to do some of the reforms that he is talking about to make sure that everything is up and aboveboard in this House as it concerns LSO's. But this is not the amendment that does it.

My colleagues, this eliminates. No such funds can be used to go to LSO's. It eliminates all LSO's.

The Republican Study Committee will end if this becomes law. The Republican Study Committee has an excellent dedicated staff that does a lot of things for Members as they pool their resources: research, and they write bills and amendments. It supports our offices in moving these bills. It helps develop strategies that affect this legislation. It helps us put together coalitions and outside groups.

Mr. Chairman, the worst thing that a minority could do is to eliminate the ability to pool our resources. The majority has huge staffs. The only way we have any opportunity to equal that staff is to be able to pool our resources so that we can advance our positions. This is a very cost-effective way of fighting the battles that we are all trying to fight. We put together outside coalitions, and we do not commingle funds, and we try to put together strategies that will advance what we are trying to do.

We should make sure that LSO's are accountable, and we should write amendments that would make them accountable, but we should not in our own Texas firm bite off our nose to spite our face. We must oppose the Roberts-Walsh amendment because it is in our best interests, so that we can pool our resources.

Mr. WISE. Mr. Chairman, I thank the gentleman from Texas [Mr. DELAY].

Mr. Chairman, this is a true cost savings and reduces the Members' ability to choose. I would argue defeat of this amendment.

Mr. ROBERTS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me urge my colleague, the gentleman from West Virginia [Mr. WISE], and my colleague, the gentleman from Texas [Mr. DELAY], to keep calm. The RSC is not going to end. What happens is we have regular appropriations for the Republican conference, regular appropriations for the DSG, and the DSG then is an LSO. So, they have twice the amount of funding. As a matter of fact, the DSG runs a surplus of about half a million.

That is not my intent. It would not take 1 minute for the leadership around here to extend appropriations to the very legitimate arms of both parties. But here I notice in the spreadsheet for the RSC, my own party, my own minority: travel, \$157, no voucher approval. We have 32 consultants, \$27,000. Nobody, no Member, can do that. I say to my colleagues, "If you have a committee staff consultant, it has to be approved by the House Administration Committee." Thirty-two consultants, \$27,000; transfer from unusual accounts, \$100,000; video, travel, all these expenditures here, and I say to my colleagues, "You can't do it if you're a Member; you can't do it if you're a committee staffer or a committee." All I am suggesting is we take the taxpayers' funds out and members or the related institutes can certainly fund this.

I used to be a member of the arts caucus. It is not hogwash. As a matter of fact, I was the one that talked the executive director into having Larry Gatlin in terms of a performance. I figured country western was art, just like other artistic events. Now I got off the caucus, but, while we are at it, we have \$250 for a Tiffany's gift. What is that? We have \$2,717 for food and beverage. I say to my colleagues, "You can't do that as a Member," and with the Art Institute, the Arts Caucus Institute which does fine work, and I am for it in regards to that particular kind of effort, let them fund it, or individual Members can fund it.

I am a member of a 176-member rural health care coalition. We do not spend any LSO funds. Ninety-two congressional organizations exist. They do not use taxpayer money. They sure will if we don't reform this. Forty of them are standing in the wings.

Mr. Chairman, I reserve the balance of my time.

Mr. FAZIO. Mr. Chairman, I yield 1 minute to the gentlewoman from Illinois [Mrs. COLLINS].

Mrs. COLLINS of Illinois. Mr. Chairman, I rise as vice chair of the Congressional Black Caucus in opposition to the amendment offered by the gentleman from New York and urge my colleagues to vote overwhelmingly against it.

Legislative service organizations, [LSO's] perform an invaluable service for Members of this body who have common interests and seek to pursue common policy agendas. The Congressional Black Caucus has sought to promote an agenda of equity and fairness for African-Americans across the country. Without the unified voice of the Black Caucus I have to doubt that such an agenda would be much more difficult to promote. The Congressional Black Caucus, for example, was instrumental in the passage of the Civil Rights Act which the President signed, in promoting sanctions against South

Africa, and in leading the fight for disadvantaged business contract set asides. These are not special interests, Mr. Chairman, but policies which go to the very heart of what this country is all about and have a broad base of support.

Save for a few LSO's which serve party interests, the vast majority of these organizations are bipartisan in both membership and in the scope of their interests. They are not political grist mills, but legitimate research organizations which assist in analyzing and promoting legislation of mutual importance to its Members, and to the citizens of our Nation. The funds for LSO's come directly from the Members own clerk/hire account, the fund which, as we all know, pays for staff salaries. Membership is strictly voluntary, so if Members want to join none or all LSO's, they are free to do as they please. Important groups such as the caucus on women's issues—which has been at the forefront of major legislation passed by Congress—the Northeast-Midwest Congressional Coalition, and even the Republican study committee, will all be eliminated if this amendment is adopted.

If we are not going to use official funds for LSO's, Mr. Chairman, then who are we going to turn to. Are we going to solicit funds from Exxon, or from General Motors, or Citicorp to run our LSO's? Aren't these the very same special interests that we have been trying to eliminate from the legislative process? Inviting such private interests so closely into the legislative process will not serve the greater good of the House, but rather the narrow, personal interests of the corporate donors.

Further, Mr. Chairman, if the goal of those who are proposing this amendment is to cut congressional staffs, then I would suggest, quite frankly, that LSO's should be allowed to flourish. Without the valuable services provided by such groups to Members, myself included, we would have to hire even more new staffers in our personal offices to keep track of important legislation. LSO's, in fact, are a perfect example of economies of scale at its best. A small membership fee for Members to several LSO's can take the place of one or even two full-time staff persons in a personal office.

Finally, Mr. Chairman, eliminating funding for LSO's will hurt many groups in society who can't afford their own high-paid lobbyist to argue their cause. The Congressional Black Caucus, the Hispanic Caucus, and the Women's Caucus, to name just a few, all represent groups of Americans who have traditionally been among the most disenfranchised and had little if any say at all in our legislative process. These Americans need a voice to guard their concerns and LSO's serve in that role.

I am certainly aware that all Federal departments, including the Congress, will have to be placed under a microscope this year to look for wasteful spending. But the hard work of Mr. FAZIO and my colleagues on the Appropriations Committee has already produced a very fiscally responsible bill, which is, in fact, \$104 million in total outlays under last year's bill.

Mr. Chairman, if it ain't broke, don't fix it, and clearly LSO's have served this body well. This amendment is a spending cut simply for the sake of saying that we cut spending, without really being thought through.

I urge my colleagues to reject this amendment.

Mr. FAZIO. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. GALLO].

Mr. GALLO. Mr. Chairman, today, we are considering an amendment offered by the gentleman from Kansas [Mr. ROBERTS], that would effectively eliminate all legislative service organizations.

I understand the gentleman's strong concerns and share his view that we need to require greater accountability in the way these organizations are funded.

I also understand that the gentleman was not given the option to propose reforms, and chose this avenue to make a point that needs to be made.

As cochair of the Northeast-Midwest Coalition, I must oppose this amendment, but I want to add my voice to those who support greater accountability in the way these organizations are funded.

I can only speak from my experience with the coalition and tell you that it performs a valuable function.

Membership in the coalition is voluntarily, and it must earn the respect of its members to be successful.

Our coalition has produced sound legislative initiatives in many areas including trade, the environment and energy, in response to our region's particular needs.

The coalition also provides a bipartisan analysis from a regional perspective.

Based on my experience with the coalition, I believe we must set high standards in order to have credibility, not only with our members, but with the public we serve.

Our coalition is audited annually by the GAO and submits quarterly statements to the Clerk of the House.

I would urge my colleagues who chair each of these legislative service organizations to request an annual GAO audit and to support meaningful reforms with an emphasis on accountability.

I reluctantly oppose the amendment offered by the gentleman from Kansas today but I strongly support his efforts to set a higher standard for the operations of these organizations.

Mr. CHAIRMAN. We must require credibility not only for our Members,

but for the American people, who deserve to know that this money is being wisely spent.

Mr. FAZIO. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. ORTIZ].

Mr. ORTIZ. Mr. Chairman, as chairman of the congressional Hispanic caucus, I must rise in strong opposition to the Walsh-Roberts amendment to abolish legislative service organizations [LSO's].

This amendment would make it more difficult for Hispanic and other minority communities to have its voice heard in Congress.

Nearly 1 in 11 Americans is Hispanic. And yet, only 1 in 40 voting Members of the House is Hispanic.

There are no Hispanic Senators.

Thus, there are precious few Members of Congress who have first hand knowledge of the experiences and concerns of the Nation's 24 million Hispanics.

We have worked to overcome the challenges of being few in number.

But to be successful, we must have a forum and the staff to support our efforts.

The congressional Hispanic caucus serves that purpose.

Through the caucus, we are able to pool our resources to research and follow issues of importance—not only to our districts—but of importance to all Hispanics.

I urge my colleagues to oppose the Walsh amendment.

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Mr. FAZIO. Mr. Chairman, I yield 1 minute to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I urge my colleagues to oppose the Walsh-Roberts amendment. The effect of this amendment would be to eliminate all legislative services organizations [LSO's]—organizations such as the arms control and foreign policy caucus, the congressional caucus for women's issues, the environmental and energy study conference, the Democratic study group and the Republican study committee.

The argument has been made that this amendment would save money. In fact, it would have no effect because it would simply prohibit Members from using their office resources for LSO's; it would not reduce Members' accounts in any way.

LSO's actually save the taxpayers money by allowing Members to pool their resources, rather than hiring separate staff to provide this research. LSO's must file quarterly reports and operate only through the voluntary support of Members. If they fail to produce, Members will not join them.

LSO's provide a number of opportunities that would not otherwise be available to Members. Organizations such as the congressional caucus for women's

issues, and the Black and Hispanic Caucuses represent individuals who have been underrepresented in Congress and in policymaking decisions. Other LSO's such as the arms control and foreign policy caucus and the environmental and energy study conference take a comprehensive approach to these policy areas that are divided among many subcommittees. They also provide Members with an opportunity to become more deeply involved in issues that are not within the jurisdiction of the committees on which they serve.

LSO's also play an important role in providing independent analyses of upcoming votes. They are critical in providing information on votes at times when committee members and staff are overwhelmed with requests and are unable to quickly respond to questions about an imminent vote. This is particularly important to Republican Members; because most LSO's are bipartisan, their staffs are often more accessible to minority Members and help to overcome the deficit of Republican committee staff.

Almost 90 percent of House Members belong to one or more LSO's. These organizations have made substantial contributions to this House and have made us better legislators. I strongly urge my colleagues to oppose the Walsh-Roberts amendment.

Mr. FAZIO. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. THOMAS].

Mr. THOMAS of Georgia. Mr. Chairman, as most Members, I belong to several caucuses that provide our offices with important and timely information on issues that help our constituents. For this reason, I oppose this amendment.

It is not going to save us any money. In fact, it is probably going to be expensive in the long run, as Members will have to draw upon other resources for both gathering and disseminating information. Furthermore, it denies Members the right to utilize their own resources in a manner they deem to be priorities.

My staff, which is already limited due to mandates on size, cannot replace the information resources provided by legislative support organizations.

For example, I belong to the congressional Sun Belt caucus, which is a bipartisan coalition of Members from the South and Southwest. This caucus serves to inform and educate Members and staff on the regional impacts of legislation and administration regulations. No other organization would be able to give me this perspective without the partisan biases or special interest concerns which often come from groups outside of the Congress.

We must remember that LSO's are congressional offices providing support to Members in their official duties.

Mr. Chairman, I urge my colleagues to vote against this amendment and look for real solutions to reducing the cost of operating this institution.

Mr. FAZIO. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in opposition to the amendment. We are a better House, a better legislative body, because of the LSO's. I know that I am a better Member of Congress because of these organizations.

I have had the opportunity through the organizations that they are trying to do away with through this amendment to meet with Nobel Prize winners, great authors, musicians, and scientists, that I could not possibly have had the opportunity to talk to, to learn from.

What we do here so often is to go to our districts, come back, go to committees, go to our districts, and come back. We should take every opportunity to enlarge ourselves. These LSO's, for no cost, we are using our own money, we are sacrificing the money from our offices to have them. They are worth double, treble, quadruple what we put into them.

Mr. Chairman, defeat this amendment.

Mr. FAZIO. Mr. Chairman, I yield 1 minute to the gentleman from Iowa [Mr. LEACH].

Mr. LEACH. Mr. Chairman, sometimes it is contended that a given approach is penny wise and pound foolish. Here there is no pretense at being penny wise, it is simply pound foolish.

The amendment before us does not raise an issue of how much money is spent, but how money is used. LSO's are all about professionalizing Congress. To get rid of them is all about deprofessionalizing this body.

By way of example, I would like to comment briefly upon four LSO's that have provided extraordinary service to this body: the arts caucus, with their wonderful updates for Members; the Environmental Energy Study Conference, with timely, well-written, nonpartisan, two-sided briefs; the Northeast-Midwest Coalition, that has worked so hard on regional issues and the Canadian free trade proposal; and, finally, the bipartisan, bicameral arms control and foreign policy caucus, that has brought Members such educative speakers as Ambassador Dobrynin, Willy Brandt, Carlos Fuentes, Marrock Goulding, Jean-Bertrand Aristide, and IAEA Director Hans Blix.

Mr. Chairman, let me just conclude by noting that Sam Rayburn was famous for receiving letters from constituents and responding succinctly, "Dear so and so, you may well be right." What the caucuses are all about is giving Members a chance to provide

substantive perspectives to constituents. This is not just about how time is spent in Congress; it is how we respond to the people we are elected to represent.

Finally, at the risk of overstating, let me suggest that the public has properly concluded that this body is too caught up with partisan wrangling. The caucuses are a way to bring us together in a nonpartisan, professional way. It would be a thoughtless mistake to get rid of these institutions.

The gentleman from Kansas [Mr. ROBERTS] is undoubtedly correct that there has been an abuse or two in LSO's, but by and large my experience is that some of the most dedicated and committed people in the legislative branch serve the Congress and public at large through legislative service organizations. Their service should be honored, not capriciously challenged.

The CHAIRMAN. The gentleman from Kansas [Mr. ROBERTS] has 9 minutes remaining, and the gentleman from California [Mr. FAZIO] has 7 minutes remaining.

Mr. ROBERTS. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. Mr. Chairman, I thank my colleague for yielding.

Mr. Chairman, I really asked for this minute only to say that the gentleman has presented this amendment by way of really stimulating this debate, which is a needed and overdue debate. I do not believe this is intended to wipe out all of the LSO's, but rather to get the House to focus upon where we are going with LSO's.

Mr. Chairman, even though we may be attached to our individual LSO, I can point to an example like the tourism caucus myself. But we do need to get a handle on the rapid expansion of these LSO's. There are 92 outside of those funded by House funds. We really need to take a look at what the implications are of that expansion.

I would urge my chairman, for example, to perhaps join me in asking GAO to evaluate this policy direction, and indeed to perhaps perform a regular kind of audit of the public moneys that are involved here, for indeed we do not know how these moneys are being effectively used.

If we control it directly, if it is in our office, why should we not at least know what is happening outside of our office. That sort of review is justified, I think it is important, and what the gentleman from Kansas [Mr. ROBERTS] is about here.

Mr. FAZIO. Mr. Chairman, I yield 1 minute to the gentlewoman from Ohio [Ms. OAKAR].

Ms. OAKAR. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in opposition to the amendment. I want to concur with what the previous speaker said about

accountability. However, I do think it is unfair to suggest that the LSO's are not accountable, because they are accountable. If the gentleman knows of any kind of problem, then the gentleman should recommend some changes in the committee process.

Mr. Chairman, I want to say one thing about underrepresented groups, like the women in Congress. There are 31 women out of 535 people. Most of us have banded together in a group which was founded about 16 years ago when I was a freshman Member called the women's issues caucus.

I think we have, in the area of health, for example, saved a lot of lives because we have banded together in a bipartisan way and insisted that we have areas such as mammography coverage and so on. We could not have done that if we had not convened together.

Mr. Chairman, I think this amendment should be defeated.

Mr. FAZIO. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. PORTER], a member of our subcommittee.

Mr. PORTER. Mr. Chairman, I rise in opposition to this amendment. I understand the frustration of the gentlemen which has led him to offer it. Apparently, three studies of legislative service organizations have been conducted, those studies have recommended a number of changes, and the recommendations have not been acted on by the authorizing committee.

But this is a killer amendment, Mr. Chairman, ending all LSO activity in the House.

Mr. Chairman, I speak as cochairman of an LSO of which I am very proud, the congressional human rights caucus. The human rights caucus, 200 Members strong, has saved thousands of lives, stopped and prevented torture, insisted on fair trials, fought against oppression, and supported the rule of law everywhere in the world.

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A killer amendment is no way to achieve the objectives of the gentleman. I would hope the Members would defeat this amendment, would take to heart the concerns expressed by the authors of the amendment and give them the respect and the attention that they deserve.

Mr. ROBERTS. Mr. Chairman, I yield myself such time as I may consume.

I would like to associate myself with the remarks of the gentlewoman from Ohio. That may seem a little strange because of where I am coming from on this amendment, but she mentioned the women's caucus. If all caucuses would be run as well as the women's caucus, we would not have near the problems that we have.

Their account is only \$131,000; \$75,000 of that is for staff. And it simply makes my point. They have \$27,000 in

terms of a surplus. We cannot do that as Members or a committee staff. But for \$75,000, with as much interest as we have in the women's issues and the fine work that they do, these people could be simply taken over by an individual Member. In the rural health care coalition, I designate one of my staff members to be paid by me, not by shifting some Member's clerk-hire or allowance to some kind of a caucus. And so I want to congratulate the gentlewoman from Ohio in regards to the women's caucus.

But, I would remind her that she and I and Mr. Bates signed a recommendation going to the chairman of the Committee on House Administration back in 1988, the second task force we served on. And we recommend 8 reforms in regards to LSO's where we do have problems. I quote from the report:

File a monthly activity and expenditure report, a single, standard amount for dues, dues paid from the clerk-hire allowance and the official expenses allowance of Members should be the sole source of LSO funding.

Then we would not have the commingling with all the foundations. There were five more recommendations.

Someone mentioned the Sun Belt caucus. They raised \$75,000 from individual corporations. That is the kind of commingling that we should not do.

I am not opposed to the women's caucus. They do fine work. They are an example. But these recommendations were not acted on. Four task forces were not acted on. They disappear into a black hole after it goes to the chairman of the Committee on House Administration, and then to the leadership.

Ms. OAKAR. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield to the gentlewoman from Ohio.

Ms. OAKAR. Mr. Chairman, why did the gentleman not offer that as an amendment, those eight recommendations we made?

Mr. ROBERTS. Mr. Chairman, reclaiming my time, I think the gentlewoman's suggestion was very pertinent. We tried that and were going to say no funds could be expended until these recommendations made by the task force were actually put into effect. They told us we would be legislating on an appropriations bill, and then what do we do with the 92 other congressional organizations that want to become LSO's? That is the problem.

Mr. Chairman, I reserve the balance of my time.

Mr. FAZIO. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. WOLPE].

Mr. WOLPE. Mr. Chairman, I thank the gentleman for yielding time to me, just to say a couple of words with respect to a coalition that I have been privileged to chair for a number of years with the gentleman from New Jersey Congressman DEAN GALLO, pres-

ently and earlier with the gentleman from New York Congressman FRANK HORTON, the Northeast-Midwest Coalition.

This amendment is an incredibly destructive amendment that is being offered before us. The Northeast-Midwest Congressional Coalition, speaking just of that particular service organization, is audited annually by the GAO.

The coalition only survives if it performs to the satisfaction of its members. Membership is fully voluntary. The only source of funding is the members' clerk-hire and official expense accounts.

There are few institutions that have the capability of transcending the partisan divisions within this Congress. The Northeast-Midwest Congressional Coalition is one of those institutions, enabling us to work together across partisan lines in the solution of regional problems.

To have an amendment that would essentially eliminate all LSO's would do a great disservice to this institution.

Mr. ROBERTS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we are not trying to eliminate LSO's.

We are trying to prevent yet another House scandal.

The intent and purpose of LSO's are good in theory but in practice, they are an accident waiting to happen and be reported.

Now, for all of my colleagues who are standing forth in the well and saying that the LSO's do an outstanding job, I agree with them in part, in theory.

But in practice of some, it is simply not the thing that we should be doing. LSO's can hire and do hire the relatives of Members. We cannot. LSO's can spend official taxpayer funds on dinners, receptions, travel, gifts, petty cash, consultants. We cannot.

LSO's share staff with private associations and institutes. We cannot. LSO's have and continue to overcharge Members' official expense allowance and clerk-hire. These yearly overcharges and surpluses, a half a million dollars for one, have gone unaccounted for in several years. Where have these funds gone? Nobody knows.

Members must submit timely vouchers for every expense before being reimbursed. All of us do that. LSO's spend the money first, then they submit a quarterly report.

Gridlock in a Congress spinning its wheels with 30 LSO's, 122 congressional Member organizations, 300 committees. It is no wonder that the committee structure does not work.

Most Members complain about office space and limited funds.

We spend \$4.26 million on LSO's. If we are not going to save that money Members can spend that money for approved expenses. But, Members can do this without the clerk-hire and without the office accounts.

Four, four House administration task forces have reviewed the problems associated with LSO's over the last 10 years. Every task force reported and recommended reforms for accountability and oversight. None of the recommendations have been implemented.

Finally, we are not outlawing LSO's, as I have said. Ninety-two congressional Member organizations exist today in the House, without using taxpayer funds and commingling with special interests, institutes, associations, and foundations.

In 1970, there were four congressional Member organizations and a proud and disciplined structure of committees. We got something done. Today there are 122.

The time has come to reverse the course, end the abuse, and prevent the next congressional headache.

The press is aware of all of the abuses. They will be published. The time has come to end this abuse. Vote for Roberts-Walsh.

Mr. Chairman, I yield back the balance of my time.

Mr. FAZIO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I believe that the gentleman from New York and the gentleman from Kansas have brought an important issue before the body. I think it has been fully debated with a great deal of flourish and compassion, particularly from the gentleman from Kansas.

I do believe that by his own drafting of this amendment, he signals that he is more interested in making a point than making law. I do believe that some good will come of it. I am sure some additional attention will be paid.

If there are abuses, they may well be rooted out. But I think it is pretty clear that this amendment is draconian, and it would eliminate in fact all of the LSO's, regardless of whether or not there have been abuses attendant to any of their activities.

So at this point, Mr. Chairman, I would simply urge opposition to the amendment.

Mr. TOWNS. Mr. Chairman, I rise in opposition to this amendment with a sense of great disappointment and disillusionment in those who would seek to discredit and misrepresent the actions of their colleagues to bring diversified representation to the Congress of the United States.

Mr. Chairman, we stand in this well, a mere 8 weeks in the afterburn of Los Angeles—to tell little black children who search for role models at every moment of their lives that this Congress does not want them to have a Congressional Black Caucus to raise their horizons to new heights. My colleagues across the aisle would have us say to every one of the more than 7,000 black elected officials who have organized at the national level into caucuses fashioned after the Congressional Black Caucus—we now believe the CBC is unnecessary. To every major African and Caribbean head of state—each of which has

sought the audience, advocacy, and support of the Congressional Black Caucus—by this action—you say we, the black Members of Congress, are irrelevant to the legislative process.

I am saddened that the proponents of this measure would argue that there is duplicity in the existence of LSO's—for I do not know of any other entity that authors a Congressional Black Caucus alternative budget to place before this body—a courageous new vision of the responsibility of governance and fiscal compassion.

Mr. Chairman, my colleagues and I take this attack seriously and personally. It is for us a question of race and rights. We must not allow this travesty to be visited upon our Congress. We cannot allow the destruction of the very entities which are for some the options of last resort for fair representation. This caucus—which was founded more than 20 years ago to represent the needs and dreams of millions who reside not only in our districts, but in every corner of this Nation—has been called on to be a conscience in this body.

In the entire history of this nation, only 72 African-Americans have been elected to the Senate and the House of Representatives. And now in the memory of Hiram Revels, Adam Clayton Powell, Barbara Jordan, Mickey Leland, and Shirley Chisholm—I ask that you vote no.

I will not today, nor will my colleagues, allow the desecration of their legacy—the abridgement of our right to convene as a body on behalf of those we serve. There is a Congressional Black Caucus because there is a need for our presence—now more than ever. This amendment is an affront to every minority and female Member of the Congress and it must be defeated.

Mr. GREEN of New York. Mr. Chairman, as a former two-term chairman of the Environmental and Energy Study Conference, and a member of its executive committee since 1983, I rise in strong opposition to the Walsh-Roberts amendments.

I am very proud of the services the Study Conference provides. The 300 of us in the House who are Study Conference members and the 90 Senators who subscribe have views spanning the spectrum on environmental, energy, and natural resources issues. Yet all of us rely on the Study Conference's objective analysis of the issues before us. The Conference does not take positions on issues.

The Study Conference has played a vital role in congressional debate since its founding 17 years ago. The Conference is likely to be even more important to us in the years to come.

Since we began addressing environmental problems in the 1970's, we have made significant progress in cleaning up pollution. Yet, as our technological capabilities and our knowledge have increased, we have discovered that the problems we face are ever more complex. New concerns have emerged that are global in scope.

These challenges will require increased understanding and all the ingenuity we can muster.

As we face these complexities, the Study Conference, which has served as our primary vehicle for discussion and dissemination of information on these issues, will be invaluable.

I also take pride in the Study Conference's record of fiscal accountability. Each year, the Conference's officers request and receive an audit of the Study Conference's books from the General Accounting Office.

We all agree that the taxpayer's money must be spent in the most cost-effective way. That is exactly what the Study Conference helps us do. Rather than each of us individually developing the information we need on these issues, the Conference's small staff serves nearly 400 offices.

This is an economy of scale any management expert would applaud, certainly not something we mistakenly should be moving to eliminate.

Based on this excellent example of the importance of legislative service organizations to Congress, I urge my colleagues to vote in opposition to the Walsh-Roberts amendment.

Mr. FAZIO. Mr. Chairman, caucuses were formed to fulfill needs Members felt were not otherwise being met. Overall, LSO's have not only acted responsibly, they have strengthened the House and enabled Members to more effectively carry out their official duties.

The allegation that these groups are somehow undermining or impeding the legislative process by fragmenting decision making or conflicting what the committee system is without foundation. No evidence has been produced to substantiate these charges.

The truth, of course, is just the opposite. Rather than being a detriment, the legislative groups provide essential research and legislative services to Members in a more cost-effective manner than Member of committee offices can support. Caucuses are operated efficiently—otherwise the marketplace for their information services would not continue to exist. And if a Member is unhappy with a LSO work product or budget, he or she can simply withdraw their membership.

I understand that an administration subcommittee staff investigation, at this preliminary stage, indicates that caucuses are extremely conscientious about following rules and regulations which currently exist and that the perceived problems that have come to light are clearly the result of the lack of more comprehensive guidelines and standards.

For example, it appears that the LSO quarterly report has no uniform reporting standards—some LSO's report gross payroll, others net payroll. Some utilize a cash basis of accounting, others use an accrual basis. Disbursement categories are subjectively recorded. I am informed, however, that all expenditures are well documented by LSO's.

In reference to caucuses and their relationship to a 501(c)(3) organization, we are told that only 3 LSO's, out of 31, share employees with an outside organization. I have heard of no violations of the Ethics in Government Act. All the shared employees reportedly maintain documented schedules and timesheets—and no other tangible resources are shared.

Based upon this current review, I understand there will be recommendations that would place LSO's under the Clerk of the House for their financial activities, draft new regulations clearly stating approved expenditure activities, and require that LSO executive director file annual financial disclosure statements.

One should not turn too easily to the abolishment of LSO's as a panacea to real or perceived problems. Eliminating LSO's would increase the costs Members will incur to receive information and research associated with their legislative and representational duties and effectively preclude the association of Members along regional, ideological, State delegation, or other interest prevalent since the early days of the Republic.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. ROBERTS].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. ROBERTS. Mr. Chairman, on that it would seem to me that the House has indicated its will. Therefore, I will not ask for a recorded vote.

Mr. CLAY. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Does the gentleman insist on his point of order?

Mr. CLAY. Mr. Chairman, I withdraw my point of order, and I demand a recorded vote.

A recorded vote was refused.
So the amendment was rejected.

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The CHAIRMAN. It is now in order to consider amendment No. 10, printed in House Report 102-609.

AMENDMENT OFFERED BY MR. ALLEN
Mr. ALLEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ALLEN: At the appropriate place in the bill, insert the following new section:

Sec. . (a) Effective beginning on the date of the enactment of this Act, no vacancy in any elevator operator position for automatic elevators in the House of Representatives wing of the Capitol or the House of Representatives office buildings may be filled.

(b) Effective at the end of the first pay period ending more than 2 years after the date of the enactment of this Act, all elevator operator positions for automatic elevators in the House of Representatives wing of the Capitol and the House of Representatives office buildings are abolished.

Mr. FAZIO. Mr. Chairman, I reserve a point of order on the amendment offered by the gentleman from Virginia [Mr. ALLEN].

The CHAIRMAN. The gentleman from California [Mr. FAZIO] reserves a point of order on the amendment.

Under the rule, the gentleman from Virginia [Mr. ALLEN] will be recognized for 10 minutes in support of his amendment, and a member opposed will be recognized for 10 minutes in opposition to the amendment.

The Chair recognizes the gentleman from Virginia [Mr. ALLEN].

Mr. ALLEN. Mr. Chairman, I yield myself such time as I may consume.
As Congress debates congressional perks that allow Members privileges that normal people do not enjoy, we must show some leadership. In the name of fiscal responsibility, I have brought to the floor an amendment which would, over a period of 2 years, eliminate elevator operator positions in automatic elevators.

Currently, the House employs 11 elevator operator positions at the annual cost of \$154,000 according to figures from the Clerk of the House. I am not the first Member to recognize this unnecessary, wasteful spending. I do want to make clear that many of the people who run the automatic elevators are friendly, courteous, and helpful employees. However, when trying to cut spending, such positions are not essential.

The American people are fed up with a Congress which constantly demonstrates its lack of accountability. It is ludicrous to pay operators to run automatic elevators. As a Member of this body, I know Members of Congress are capable of pushing the buttons for themselves.

In fact, the body on the other side of the Capitol, the Senate, has survived without elevator operators for almost a decade.

Every year thousands of Americans come to visit their Representatives in their Nation's Capitol. What is one of the first things they see? Elevator operators. Frivolous spending habits don't sit well in the Seventh District of Virginia, and I expect most constituencies would find this perk and privilege ridiculous.

Many Members will use the excuse of time restraints during votes. I would ask those Members to remember that there are elevators set aside exclusively for Members to ensure that votes are not missed, and I would point out that you do not get from floor to floor any quicker with someone else pushing the buttons for you. And we are allowed at least 15 minutes to get to a vote.

My amendment would not cause the immediate dismissal of the elevator operators. These are people who need jobs like many other Americans today. Rather, I suggest they find necessary, productive positions within Congress on the private sector.

My amendment would state that over the next 2 years, no vacancy in any elevator operator position for automatic elevators may be filled. We will eliminate the positions through attrition. However, effective at the end of the first pay period ending more than 2 years after the date of enactment of this act, all elevator operator positions for automatic elevators would be abolished.

I ask that you join me and cast a vote for fiscal responsibility, and

against more wasteful and unnecessary spending habits.

And, finally, to the possible objections, I say please be responsible and accountable. If you favor elevator operators to run automatic elevators, have the guts and integrity to go on record for or against. Do not hide from accountability to the people by invoking unfair parliamentary gimmicks to avoid responsibility. Let's be forthright leaders.

Mr. WASHINGTON. Mr. Chairman, will the gentleman yield for a question?

Mr. ALLEN. Yes, I will yield to the gentleman from Texas.

Mr. WASHINGTON. Mr. Chairman, I thank the gentleman from Virginia for yielding to me.

I would ask the gentleman, he is not putting elevator operators down, is he? I worked my way through college operating an elevator in a one-story building.

Mr. ALLEN. As I said to the gentleman, he obviously learned a lot, but probably learned some bad habits as well.

I would say to the gentleman that the elevator operators, many we have are very friendly, courteous, helpful individuals. The question is not whether these are solid folks and whether they can learn something. I do not know what the gentleman would want them to learn from some of this cast of characters. Nevertheless, they are not necessary. The other body does not have them. I think we can get by without those positions.

Mr. Chairman, I reserve the balance of my time.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from California [Mr. FAZIO] insist on his point of order?

Mr. FAZIO. Mr. Chairman, I just want to congratulate the gentleman from Virginia on the eloquence with which he presented the annual elevator operator amendment. Alas, I must say it was drafted in such a manner as to make it possible for me to make a point of order against the amendment, because it proposes to change existing law, and constitutes legislation in an appropriations bill, and therefore it violates clause 2 of rule XXI.

The rule states, in pertinent part, that "no amendment to a general appropriations bill shall be in order if changing existing law." This amendment gives affirmative direction and in effect modifies existing powers and duties, and is operative beyond the fiscal year for which the appropriation applies, so despite my congratulations to the author and the fact that I will include some remarks in the RECORD to rebut some of his comments, I must ask that the rule that would emanate from the Chair would be against his being allowed to present the amendment.

The CHAIRMAN. Does the gentleman from Virginia [Mr. ALLEN] wish to be heard on the point of order?

Mr. ALLEN. Yes, Mr. Chairman, I do. I would say that we always are legislating in appropriations bills. This sets a policy of appropriations that I do not think we need to make. I realize I will be taking the stairs more often than the elevators in presenting this amendment, but I would respectfully suggest that the point of order is not well taken.

The CHAIRMAN (Mr. DONNELLY). The Chair is prepared to rule.

The gentleman from California [Mr. FAZIO] makes a point of order that the amendment offered by the gentleman from Virginia [Mr. ALLEN] violates clause 2 of rule XXI by proposing legislation on a general appropriations bill. The amendment is clearly legislating on an appropriation bill, and the point of order is sustained.

PREFERENTIAL MOTION OFFERED BY MR.

WALKER

Mr. WALKER. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. WALKER moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. WALKER] is recognized for 5 minutes in support of his motion.

Mr. WALKER. Mr. Chairman, the reason for using the privileged motion is because under the process in which we are operating, we are not allowed to strike the last word and thereby get a little bit of time.

I did want to reflect a little bit on the process that we have moved to since we adopted the rule earlier today. Earlier today when the rule came up we were told this was not a fraudulent process, that in fact Members were going to be given their rights to offer all the amendments. We were told earlier today that this was going to be an open process.

The fact is that what we have seen in the course of today is exactly as we described it. Members were stripped of their rights to offer motions to strike and thereby were not given the ability to reduce spending in the bill.

There were several amendments that would have been in order under a regular, open rule that did not come up today because they were prevented by the rule. Moreover, we were told when the rule was adopted that there would be 11 amendments permitted under the rule, that the majority had been extremely generous in what they had decided to do.

The fact is, of those 11 amendments, most of them have been stricken under points of order, and it is particularly problematic to note that many of those points of order were raised by the chairman of the subcommittee himself.

□ 1930

So, when we described the process today earlier as fraudulent, it has been a truly fraudulent process. Members were denied their right to offer entirely appropriate amendments.

Here is the problem, Mr. Chairman. Tomorrow we are going to get another of these rules. This rule is not just an aberration, it is in fact the beginning of a trend. Tomorrow we are going to have another closed rule on the bill. When it comes to foreign aid spending, we are now going to find out that we cannot offer amendments to reduce foreign aid spending either, that that is going to come out here protected.

My guess is that we may have other bills that will come in under protected status before the year is over, and that by next year these will serve as precedents, and the whole appropriations process will be shut down, as the other debate processes in the House have been shut down.

That would be a tragedy of untold proportions, and we are seeing the trend begin to move in that direction. We are in fact operating under a very bad process here. The process has proven to be exactly as it was feared earlier today.

With that, I yield back the balance of my time.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Pennsylvania [Mr. WALKER].

The preferential motion was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the "Legislative Branch Appropriations Act, 1993".

AMENDMENT OFFERED BY MR. ROBERTS

Mr. ROBERTS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ROBERTS: Page 36, after line 5, insert the following new section:

SEC. 312. None of the funds made available by this Act may be used with respect to construction of any additional gymnasium or other physical fitness facility in the House Office Buildings.

Mr. FAZIO. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

The CHAIRMAN. The question is on the motion offered by the gentleman from California [Mr. FAZIO].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. WALKER. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present.

Does the gentleman from Pennsylvania insist on his point of order?

Mr. WALKER. I do insist on my point of order, Mr. Chairman.

The CHAIRMAN. Evidently a quorum is not present. Pursuant to the provisions of clause 2 of rule XXIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question.

Mr. WALKER. Mr. Chairman, I withdraw my point of order.

The CHAIRMAN. The Chair has already sustained the point of order. The gentleman is too late.

The Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call. Members will record their presence by electronic device.

The call was taken by electronic device.

The following Members responded to their names:

[Roll No. 228]

Abercrombie	Chandler	Ewing
Allard	Chapman	Fascell
Allen	Clay	Fawell
Anderson	Clement	Fazio
Andrews (ME)	Clinger	Feighan
Andrews (NJ)	Coble	Fields
Andrews (TX)	Coleman (MO)	Fish
Annunzio	Coleman (TX)	Flake
Anthony	Collins (IL)	Foglietta
Applegate	Collins (MI)	Ford (MI)
Archer	Combest	Ford (TN)
Armey	Condit	Frank (MA)
Aspin	Conyers	Franks (CT)
Atkins	Cooper	Galleghy
AuCoin	Costello	Gallo
Bacchus	Coughlin	Gaydos
Baker	Cox (CA)	Gedensson
Ballenger	Cox (IL)	Gekas
Barnard	Coyne	Gephardt
Barrett	Cramer	Geren
Barton	Crane	Gibbons
Bateman	Cunningham	Gilchrest
Beilenson	Dannemeyer	Gillmor
Bennett	Darden	Gilman
Bentley	de la Garza	Gingrich
Bereuter	DeLauro	Glickman
Berman	DeLay	Gonzalez
Bevill	Dellums	Goodling
Bilbray	Derrick	Gordon
Bilirakis	Dickinson	Goss
Blackwell	Dicks	Gradison
Bliley	Dingell	Grandy
Boehlert	Dixon	Green
Boehner	Donnelly	Guarini
Borski	Dooley	Gundersen
Boucher	Doolittle	Hall (OH)
Boxer	Dorgan (ND)	Hall (TX)
Brewster	Dornan (CA)	Hamilton
Brooks	Downey	Hammerschmidt
Broomfield	Dreier	Hancock
Browder	Duncan	Hansen
Brown	Durbin	Harris
Bruce	Dwyer	Hastert
Bryant	Dymally	Hatcher
Bunning	Early	Hayes (IL)
Burton	Eckart	Hayes (LA)
Bustamante	Edwards (CA)	Hefley
Byron	Edwards (OK)	Henry
Callahan	Edwards (TX)	Herger
Camp	Emerson	Hoagland
Campbell (CA)	Engel	Hobson
Campbell (CO)	English	Hochbrueckner
Cardin	Erdreich	Holloway
Carper	Espy	Hopkins
Carr	Evans	Horn

Horton	Mink	Savage
Houghton	Moakley	Sawyer
Hoyer	Molinari	Saxton
Hubbard	Mollohan	Schaefer
Huckaby	Montgomery	Scheuer
Hughes	Moody	Schiff
Hunter	Moorhead	Schroeder
Hutto	Moran	Schulze
Inhofe	Morella	Sensenbrenner
Ireland	Morrison	Serrano
Jacobs	Mrazek	Sharp
James	Murphy	Shaw
Jefferson	Murtha	Shays
Jenkins	Myers	Shuster
Johnson (CT)	Nagle	Sikorski
Johnson (SD)	Natcher	Siskis
Johnson (TX)	Neal (MA)	Skaggs
Johnston	Neal (NC)	Skeen
Jones (NC)	Nichols	Skeltan
Jontz	Nowak	Slattery
Kanjorski	Nussle	Slaughter
Kaptur	Oakar	Smith (FL)
Kasich	Oberstar	Smith (IA)
Kennedy	Obey	Smith (NJ)
Kennelly	Olin	Smith (OR)
Kildee	Olver	Smith (TX)
Klecza	Ortiz	Snowe
Klug	Orton	Solarz
Kolbe	Owens (NY)	Solomon
Kolter	Owens (UT)	Spence
Kopetski	Oxley	Spratt
Kostmayer	Packard	Staggers
Kyl	Pallone	Stallings
LaFalce	Panetta	Stark
Lagomarsino	Parker	Stearns
Lancaster	Patterson	Stenholm
Lantos	Paxon	Stokes
LaRocco	Payne (NJ)	Studds
Laughlin	Payne (VA)	Stump
Leach	Pease	Sundquist
Lehman (CA)	Penny	Swett
Lehman (FL)	Perkins	Swift
Lent	Peterson (FL)	Synar
Levin (MI)	Peterson (MN)	Tanner
Levine (CA)	Petri	Tauzin
Lewis (CA)	Pickett	Taylor (MS)
Lewis (FL)	Pickle	Taylor (NC)
Lewis (GA)	Porter	Thomas (CA)
Lightfoot	Poshard	Thomas (GA)
Lipinski	Price	Thomas (WY)
Livingston	Pursell	Thornton
Lloyd	Quillen	Torres
Long	Rahall	Torricelli
Lowery (CA)	Ramstad	Towns
Lowey (NY)	Rangel	Trafficant
Luken	Ravenel	Unsoeld
Machtley	Ray	Upton
Manton	Reed	Valentine
Markey	Regula	Vander Jagt
Marlenee	Rhodes	Vento
Martin	Richardson	Visclosky
Martinez	Ridge	Volkmer
Matsui	Riggs	Vucanovich
Mavroules	Rinaldo	Walker
Mazzoli	Ritter	Walsh
McCandless	Roberts	Washington
McCloskey	Roe	Waters
McCollum	Roemer	Waxman
McCrery	Rogers	Weber
McDade	Rohrabacher	Weiss
McDermott	Ros-Lehtinen	Weldon
McEwen	Rose	Wheat
McGrath	Rostenkowski	Whitten
McHugh	Roth	Wise
McMillan (NC)	Roukema	Wolpe
McMillen (MD)	Rowland	Wyden
Meyers	Roybal	Wyllie
Mfume	Russo	Yates
Michel	Sabo	Yatron
Miller (CA)	Sanders	Young (AK)
Miller (OH)	Sangmeister	Young (FL)
Miller (WA)	Santorium	Zeliff
Mineta	Sarpalius	Zimmer

□ 1952

The CHAIRMAN. Four hundred fourteen Members have answered to their names, a quorum is present, and the Committee will resume its business.

Mr. FAZIO. Mr. Chairman, I ask unanimous consent to proceed for 2 minutes in order to engage in a col-

loquy with my friend, the gentleman from Kansas [Mr. ROBERTS].

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FAZIO. Mr. Chairman, I yield to my friend, the gentleman from Kansas.

Mr. ROBERTS. Mr. Chairman, the preferential motion to rise prevented me from offering an amendment.

Mr. Chairman, the amendment I am offering simply prevents the funds being appropriated in this bill to be used for the construction of a new gymnasium or fitness facility. This amendment simply inoculates the fiscal year 1993 legislative branch appropriations bill from potential reprogramming or spending for this rumored project.

During consideration of the fiscal year 1992 legislative branch appropriations bill, \$1 million was provided to finish room B-106 of the Cannon Building. This appropriation followed the reprogramming of \$1.1 million of fiscal year 1991 moneys to repair the space beneath the Cannon stairway and begin the finishing of this same space. After carefully reviewing this project and discussing it with various senior staff and Members, it seemed that funds were going to be spent for a rumored new gym facility.

In fiscal year 1991, \$25,000 was appropriated to conduct a study on the feasibility of a staff gym. The study was to be conducted by the Architect. The results of this study have never been made public and the questions of feasibility, cost, need, and location all have yet to be answered.

This language simply prevents this project moving forward this next fiscal year to allow full study and consideration of the Architect's findings—if they are ever made available.

As Chairman FAZIO and I discussed in a colloquy last year, before any project to construct a new gym facility should go forward, careful scrutiny, public hearings, and other actions to ensure full public disclosure should occur. This is still to occur.

I urge my colleagues to support my simple amendment.

I would have preferred my amendment to have been considered, but the gentleman's motion to rise, the preferential motion to rise, prevented the amendment.

Would the gentleman from California assure me that this project will not continue until the scrutiny has taken place?

Mr. FAZIO. Mr. Chairman, certainly there is no funding in this bill for any such development of any kind of staff gym, and I concur with the premise of the gentleman that if that decision is to be made, it should be done openly with hearings and the Members should be on record to that extent.

I do want to point out 1.2 million Federal workers are currently eligible

to exercise at 653 Federal exercise facilities, most of which were created during the 1980's; but the point is if we are going to do here for our workers what other Federal employees have available to them, it ought to be done on the record. It ought to be done publicly and we all ought to be committed to it, or at least have a chance to register our opposition to it.

Mr. ROBERTS. Mr. Chairman, will the gentleman yield further?

Mr. FAZIO. I am happy to yield to the gentleman from Kansas.

Mr. ROBERTS. Mr. Chairman, I thank the gentleman for his contribution. It is very similar to the colloquy we had last year.

I think we have sent a strong message to the leadership and the powers that be and the one particular individual who wants this gym.

Mr. FAZIO. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The pending business is the demand of the gentleman from Pennsylvania [Mr. WALKER] for a recorded vote.

Does the gentleman from Pennsylvania insist on his demand?

Mr. WALKER. I am tempted to ask for tellers, Mr. Chairman, but I will not.

Mr. Chairman, I withdraw my demand for a recorded vote.

So the motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. GEPHARDT) having assumed the chair, Mr. DONNELLY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5427) making appropriations for the legislative branch for the fiscal year ending September 30, 1993, and for other purposes, pursuant to House Resolution 499, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them engross.

The amendments were agreed to.

□ 2000

The SPEAKER pro tempore (Mr. GEPHARDT). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. LIGHTFOOT

Mr. LIGHTFOOT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LIGHTFOOT. In its present form I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will read.

The Clerk read as follows:

Mr. LIGHTFOOT moves to recommit the bill H.R. 5427 to the Committee on Appropriations with instructions to report back the same forthwith with the following amendments:

On page 2, line 8, strike "\$704,409,000" and insert "\$699,109,000".

On page 5, line 16, strike "\$53,011,000" and insert "\$47,711,000".

Mr. LIGHTFOOT (during the reading). Mr. Speaker, I ask unanimous consent the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The SPEAKER pro tempore. The gentleman from Iowa [Mr. LIGHTFOOT] is recognized for 5 minutes.

Mr. LIGHTFOOT. I thank the Speaker.

Mr. Speaker, a lot of people today are enamored with the so-called Perot phenomenon. I think basically what we get to is that Mr. Perot has tied into what a great many Americans feel, that the country is more important than politics.

As a result, today we have seen a very disturbing development, with our closed rule that was approved for this appropriation bill. I think it was very unfortunate that the Committee on Rules refused to allow an amendment requested by my colleague from Michigan, Mr. UPTON, the gentleman from Kansas [Mr. ROBERTS], to reduce the official House office mail allowance. Nor were any similar amendments permitted under the rule.

The closed rule on the spending bill is a direct slap in the face of the American taxpayers. It effectively puts a muzzle on us.

I think with this motion to recommit we have the opportunity to demonstrate that we can put the country ahead of politics and both sides can get together and agree on something.

Mr. Speaker, my motion to recommit contains instructions to report the bill back to the House with an amendment to reduce the House franking privileges by approximately 10 percent, roughly \$5.3 million. It is a workable and realistic cut which I believe many of my colleagues will support.

Why similar amendments could not be permitted during today's debate is puzzling. But in today's fiscal climate, I think Congress must demonstrate a commitment to reform and to look at more budget austerity. If we are not willing to make sacrifices in order to set an example for fiscal accountability, how can we expect the American people to support reductions in other areas of the Federal budget?

Roughly 2 weeks ago the House of Representatives failed to approve a balanced budget amendment to the Constitution. How many more times will we demonstrate to the American people we cannot be fiscally responsible?

If we fail to pass this modest cut, we demonstrate clearly why we need a balanced budget amendment. We must demonstrate we are willing to make difficult choices and we must demonstrate we are willing to stop protecting the perks which we are accused of having. We must demonstrate to the people that we are opening up the functioning of the House to the light of day.

As my colleagues testified before the Committee on Rules the 1991 fiscal year, the House spent \$31 million on mail. The \$41.7 million figure I am proposing is still a healthy increase over fiscal year 1991. The rescission package approved recently included a rescission of \$20 million in franking expenses and it demonstrates that a growing number of Members have the willingness to cut our mailing allowances.

Mr. Speaker, I urge my colleagues to support the motion to recommit.

The SPEAKER pro tempore. The gentleman from California [Mr. FAZIO] is recognized for 5 minutes.

Mr. FAZIO. I thank the Speaker.

Mr. Speaker, I had intended, of course, to strenuously object to this provision being offered by the gentleman from Iowa. But the gentleman from California has so effectively worked the floor on this matter that I think my chances of prevailing are very limited.

Given the fact that we have had a long day here, with increasingly good feeling despite the difficulty we had over the rule, I think it would be appropriate if I at this point indicate to my colleagues that I will not object to the motion to recommit and would ask that it could be promptly passed so we could finish the bill.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LIGHTFOOT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage.

The vote was taken by electronic device, and there were—ayes 376, noes 45, not voting 13, as follows:

[Roll No. 229]

AYES—376

Allard
Allen
Anderson
Andrews (ME)
Andrews (NJ)

Andrews (TX)
Annunzio
Anthony
Applegate
Archer

Armey
Aspin
Atkins
AuCoin
Bacchus

Baker
Ballenger
Barnard
Barrett
Barton
Bateman
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Billbray
Billrakis
Bliley
Boehlert
Boehner
Borski
Boucher
Boxer
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Bunning
Burton
Byron
Callahan
Camp
Campbell (CA)
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clement
Clinger
Coble
Coleman (MO)
Coleman (TX)
Combest
Condit
Cooper
Costello
Coughlin
Cox (CA)
Cox (IL)
Coyne
Cramer
Crane
Cunningham
Dannemeyer
Darden
Davis
De la Garza
DeLauro
DeLay
Derrick
Dicks
Dixon
Donnelly
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Duncan
Durbin
Dwyer
Early
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fawell
Feighan
Fields
Fish
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Gallegly

Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrist
Gillmor
Gilman
Gingrich
Glickman
Goodling
Gordon
Goss
Gradison
Grandy
Green
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hatcher
Hayes (LA)
Hefley
Henry
Herger
Hertel
Hoagland
Hobson
Hochbrueckner
Holloway
Hopkins
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Inhofe
Ireland
Jacobs
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Klecicka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Marlenee
Martin

Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McEwen
McGrath
McHugh
McMillan (NC)
McMillan (MD)
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinaro
Mollohan
Montgomery
Moody
Moorhead
Moran
Morella
Morrison
Mrazek
Murphy
Murtha
Myers
Natcher
Neal (MA)
Neal (NC)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Oliver
Ortiz
Orton
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Pastor
Patterson
Paxon
Payne (VA)
Pease
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickle
Porter
Poshard
Price
Pursell
Quillen
Rahall
Ramstad
Ravenel
Ray
Reed
Regula
Rhodes
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rostenkowski
Roth
Roukema
Rowland
Russo
Sabo
Sanders
Santorum

Sarpalius
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schulze
Schroeder
Schulze
Sensenbrenner
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe

Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stark
Stearns
Stenholm
Studds
Stump
Sundquist
Swett
Swift
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Torricelli
Traficant

Upton
Valentine
Vander Jagt
Vento
Volkmeyer
Vucanovich
Walker
Walsh
Waxman
Weber
Weldon
Whitten
Williams
Wise
Wolpe
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Zelliff
Zimmer

NOES—45

Abercrombie
Blackwell
Bustamante
Clay
Collins (IL)
Collins (MI)
Conyers
DeFazio
Dellums
Dingell
Dymally
Fascell
Fazio
Flake
Foglietta

Gonzalez
Guarini
Hayes (IL)
Jones (NC)
Lehman (FL)
Levine (CA)
Lewis (CA)
McDermott
Nagle
Olin
Owens (NY)
Payne (NJ)
Perkins
Pickett
Rangel

Roe
Rose
Roybal
Savage
Serrano
Smith (FL)
Stokes
Synar
Towns
Unsold
Visclosky
Washington
Waters
Weiss
Wheat

NOT VOTING—13

Ackerman
Alexander
Bonior
Dickinson
Hefner

Hyde
Jones (GA)
McNulty
Schumer
Tallion

Traxler
Wilson
Wolf

□ 2021

Mr. NAGLE changed his vote from "aye" to "no."

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

Mr. FAZIO. Mr. Speaker, pursuant to the instructions of the House, I report the bill, H.R. 5427, back to the House with an amendment.

The SPEAKER pro tempore (Mr. GEPHARDT). The Clerk will report the amendment.

The Clerk read as follows:

Amendment: On page 2, line 8, strike "\$704,409,000" and insert "\$699,109,000". On page 5, line 16, strike "\$53,011,000" and insert "\$47,711,000".

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WALKER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.
The vote was taken by electronic device, and there were—ayes 279, noes 143, not voting 12, as follows:

[Roll No. 230]

AYES—279

Abercrombie
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Barnard
Bateman
Bellenson
Bennett
Bentley
Berman
Bevill
Billray
Blackwell
Boehert
Borski
Boucher
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Bustamante
Byron
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clay
Clement
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Coughlin
Cox (IL)
Coyne
Cramer
Darden
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Espy
Evans
Ewing
Fascell
Fazio
Feighan
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost

Gallo
Gaydos
Gedjenson
Gephardt
Geren
Gibbons
Gillman
Gonzalez
Gordon
Green
Guarini
Hall (OH)
Hall (TX)
Hamilton
Harris
Hatcher
Hayes (IL)
Hayes (LA)
Hertel
Hoagland
Hochbruckner
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Jefferson
Jenkins
Johnson (SD)
Johnston
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (GA)
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McGrath
McHugh
McMillen (MD)
Mfume
Michel
Miller (CA)
Mineta
Mink
Moakley
Molinaro
Mollohan
Montgomery
Moody
Moran
Morella

Morrison
Mrazek
Murtha
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Oliver
Ortiz
Orton
Owens (NY)
Owens (UT)
Pannetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickle
Porter
Poshard
Price
Rahall
Rangel
Ray
Reed
Richardson
Rinaldo
Roe
Roemer
Rose
Rostenkowski
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Savage
Sawyer
Scheuer
Schiff
Schroeder
Schulze
Serrano
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Solarz
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Sweet
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Thomas (CA)
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Unsold

Valentine
Vento
Visclosky
Volkmeyer
Vucanovich
Washington

Waters
Waxman
Weiss
Wheat
Whitten
Williams

Wise
Wolpe
Wyden
Yates
Yatron
Young (AK)

NOES—143

Allard
Allen
Archer
Armey
Baker
Ballenger
Barrett
Barton
Bereuter
Bilirakis
Billiey
Boehner
Boxer
Bunning
Burton
Callahan
Camp
Campbell (CA)
Chandler
Clinger
Coble
Coleman (MO)
Combest
Cox (CA)
Crane
Cunningham
Dannemeyer
DeLay
Dickinson
Doolittle
Dorman (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Erdreich
Fawell
Fields
Franks (CT)
Gallegly
Gekas
Gilchrist
Gillmor
Gingrich
Glickman
Goodling
Goss
Gradison

Grandy
Gunderson
Hammerschmidt
Hancock
Hansen
Hastert
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Hunter
Inhofe
Ireland
Jacobs
James
Johnson (CT)
Johnson (TX)
Kasich
Klug
Koibe
Kyl
Lagomarsino
Leach
Lewis (FL)
Lightfoot
Machtley
Marlenee
Martin
McCandless
McCollum
McCrery
McEwen
McMillan (NC)
Meyers
Miller (OH)
Miller (WA)
Moorehead
Murphy
Myers
Nagle
Nichols
Nussle
Oxley
Packard
Pallone
Paxon

Petri
Pickett
Pursell
Quillen
Ramstad
Ravenel
Regula
Rhodes
Ridge
Riggs
Ritter
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Santorum
Sarpalius
Saxton
Schaefer
Sensenbrenner
Sharp
Shaw
Shays
Slattery
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Taylor (NC)
Thomas (WY)
Upton
Vander Jagt
Walker
Walsh
Weber
Weldon
Wolf
Wylie
Young (FL)
Zelliff
Zimmer

NOT VOTING—12

Ackerman
Alexander
Bonior
Hefner

Hyde
Jones (GA)
McDade
McNulty

Schumer
Tallion
Traxler
Wilson

□ 2033

Mr. SLATTERY changed his vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REQUEST TO AUTHORIZE THE CLERK TO MAKE CONFORMING CORRECTIONS IN ENGROSSMENT OF H.R. 5427, LEGISLATIVE BRANCH APPROPRIATIONS, 1993

Mr. FAZIO. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill (H.R. 5427), the Clerk be directed to conform the line references in the amendment printed in section 2 of House Resolution 499 to the calendar print of the bill.

The Clerk would correct the references to line numbers in the instructions of the amendment as follows: First, strike out "line 17" and insert in

lieu thereof "line 5"; second, strike out "line 20" and insert in lieu thereof "line 8"; and third, strike out "line 3" and insert in lieu thereof "line 16".

The SPEAKER pro tempore (Mr. WISE). Is there objection to the request of the gentleman from California?

Mr. WALKER. Mr. Speaker, reserving the right to object, is this the problem that was created by the rule, which some of us regard as fraudulent, that brought the bill to the floor?

Mr. FAZIO. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from California.

Mr. FAZIO. Mr. Speaker, this was a problem created in the rule by a technical error made by the authorizing committee when it submitted language to the committee.

Mr. WALKER. Mr. Speaker, that is the gentleman's interpretation. I have mine.

Mr. FAZIO. Mr. Speaker, if the gentleman would continue to yield, I do understand the gentleman's interpretation would always be at odds with mine.

Mr. WALKER. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

REPORT ON RESOLUTION, HOUSE RESOLUTION 500, WAIVING A REQUIREMENT AGAINST CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-613) on the resolution (H. Res. 500) waiving the requirement of clause 4(b) of rule XI, against consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5368, FOREIGN OPERATIONS APPROPRIATIONS ACT, 1993

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102-614) on the resolution (H. Res. 501) providing for the consideration of the bill (H.R. 5368) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1993, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CREDIT AVAILABILITY AND REGULATORY RELIEF ACT OF 1992—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United

States; which was read and, together with the accompanying papers, referred to the Committee on Banking, Finance and Urban Affairs and the Committee on Energy and Commerce and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit for your immediate consideration and enactment the "Credit Availability and Regulatory Relief Act of 1992." This proposed legislation will enhance the availability of credit in the economy by reducing regulatory burdens on depository institutions. Also transmitted is a section-by-section analysis.

The regulatory burden on the Nation's financial intermediaries has reached a level that imposes unacceptable costs on the economy as a whole. Needless regulations restrict credit, slowing economic growth and job creation. Excessive costs weaken financial institutions, exposing the taxpayer to the risk of loss. Rigid supervisory formulas distort business decisions and discourage banks, thrifts, and credit unions from pursuing their core lending activities. In 1991, the Nation's banks spent an estimated \$10.7 billion on regulatory compliance, or over 59 percent of the system's entire annual profit. We cannot allow this unnecessary and oppressive burden to continue weighing down the consumer and business lending that will fuel economic recovery.

The Credit Availability and Regulatory Relief Act of 1992 reduces or eliminates a wide range of these unnecessary financial institution costs. Among the significant changes that would be made by the bill are:

- Elimination of the requirement that banking agencies develop detailed "micromanagement" regulations for every aspect of an institution's managerial and operational conduct, from the compensation of employees to the ratio of market value to book value of an institution's stock;
- Enactment of a statutory requirement that regulations of the various Federal banking agencies be as uniform as possible, to avoid the complexity, inconsistencies, and comparative distortions that result from widely varying regulatory practices;
- Reduction of audit costs, by returning auditors to their traditional function of investigating the accuracy of depository institution financial statements and eliminating the costly and misguided expansion of their role over legal and managerial matters;
- Alleviation of the significant paperwork burden imposed by the Community Reinvestment Act on small, rural depository institutions without exempting such institutions from the substantive require-

ments to satisfy the credit needs of their entire communities—coupled with creation of incentives for institutions to reach higher levels of compliance by streamlining expansion procedures for institutions with outstanding Community Reinvestment Act ratings; and

—Elimination of the requirement that the Federal Reserve write detailed "bright line" regulations on the amounts of credit that one depository can extend to another, thus retaining the Federal Reserve's existing flexibility to supervise the payments system without unduly inhibiting correspondent banking relationships.

These changes, and the others made by the bill, will result in significant reductions to the administrative costs of depository institutions—costs that are currently passed on to borrowers in the form of restricted credit and higher priced loans.

I would like to emphasize that none of the bill's provisions will compromise in any way the safety and soundness of the financial system. The legislation makes no changes to those elements of the Administration's proposed supervisory reforms that the Congress did adopt last year. All existing capital standards will remain in force and will be neither weakened nor modified by the proposed legislation; the "prompt corrective action" framework mandating swift regulatory responses to developing institutional problems will remain unchanged; and bank regulators will continue to have exceptionally tough enforcement powers.

The legislation I am transmitting to you today is a broad and responsible solution to one of the major problems facing our financial system. The financial industry, the economy, and the public generally will benefit from enactment of this regulatory relief. I therefore urge the Congress to give high priority to the passage of the Administration's reforms.

GEORGE BUSH.

THE WHITE HOUSE, June 24, 1992.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will announce that he will receive requests for special orders from both sides and then hear 1-minute requests.

FORMER SPEAKER GIFT OR BAGGAGE?

(Mr. GOSS asked and was given permission to address the house for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, Christmas, 1970, the House of Representatives gave the retiring Speaker of the House an unprecedented retirement gift—an of-

fice, staff and stamps to "conclude his official duties". Mr. Gross of Iowa said it best:

A Speaker of the House is not elected by the voting taxpayers of the Nation. Therefore, the Nation, as such, owes him nothing merely by reason of the fact that he was a Speaker * * * I predict that if this resolution could be submitted to all the taxpayers of the Nation for rejection or approval it would be sunk without a trace.

Now 22 years later we have three former Speakers receiving this gift at a cost to the taxpayers of hundreds of thousands of dollars a year. We tried to give our colleagues a chance to reject or approve these open-ended benefits for former Speakers—but the majority party on the Rules Committee made the decision for them, the wrong decision, by refusing to allow an amendment that would limit those benefits to come to the floor. What a disgrace. The American people should know about this. After all, they are going to pay.

DICTATORIAL RULES IN THE HOUSE

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, something needs to be said about the operation of the House today. It smells to high heaven. I am embarrassed to admit that I did not speak against the dictatorial rule this morning, and then the absolutely dishonest handling of what little chances we Republicans had in amending the bill.

My understanding is that we changed 200 years of customs in not having an open rule. How many of the Members can remember Adolf Hitler in his early days where, if anyone had stood up to him, we could have saved millions of lives, but no one stood up. The time to fight for our rights is now.

EGYPT UNFAIR TO AMERICAN BUSINESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mrs. BENTLEY] is recognized for 5 minutes.

Mrs. BENTLEY. Mr. Speaker, the Great Lakes Dredge and Dock Co., a Chicago-based firm and one of the largest dredging companies in the world, was the apparent low bidder on two of four solicitations on the Suez Canal.

The authority threw the bids out and offered a second, expanded solicitation. Once again, Great Lakes Dredge and Dock Co., was the apparent low bidder. I might note that Great Lakes which also has an office in my district—is the only U.S. company participating in this bidding process.

I learned today that rather than award the contract, the Egyptians have requested Great Lakes to retender a

new bid by June 27. Why? Because now the Japanese and Belgians have had the benefit of learning Great Lakes offer.

Obviously, this is a technique to browbeat competitors and is a sham of the closed bid process.

This treatment of an American company by Egypt is unacceptable and should be unacceptable to every Member of the House. The United States annually sends \$2.1 billion in economic and military aid to Egypt, and has forgiven more than \$7 billion owed approaching well over \$50 billion in total.

When the foreign operations appropriations bill comes before this body for consideration tomorrow, we must remember how Egypt has repeatedly attempted to prevent a United States company from doing business there.

MARGARET CAMERON AND THE PROCESS OF SELF-GOVERNMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. GINGRICH] is recognized for 60 minutes.

Mr. GINGRICH. Mr. Speaker, I want to talk today about Margaret Cameron and the process of self-government. Margaret Cameron is a fascinating woman that I met last Saturday night in Vinings, GA. She is 82 years old. She was selected in 1988 as "Mrs. Cobb County," described as a "grandmotherly, vivacious woman," and she told me a fascinating story, at 82 years of age.

She had worked at Lockheed, retired in her late sixties, and has been active, president of the Lockheed Recreation Club, serves as chief cook for the American Legion, works for the American Cancer Society, works with the veterans at the Veteran's Administration hospital, works at Open Gate, a home for battered children, and she told me the following.

At 82 years of age, she works 4 hours a day at the Piccadilly Cafeteria, because she wants to stay active. She wants to stay busy. She needs the money a little bit, but she really does it because she loves to be with people, she loves to serve others, she loves to be part of her community.

She told me about the process of working with Meals on Wheels, in her mid to late seventies. Already retired for a decade, she would go out every day, serve food to people in the Meals on Wheels Program. She said:

I had to quit. I found myself going to houses where there were people who were able-bodied, doing nothing, glad for me to drop by and give them the food. We had children and grandchildren who were in the habit of hoping somebody would show up with food.

She said:

I got so depressed at their lack of commitment, their lack of enthusiasm, their lack of involvement, that I simply could not take

the depression of trying to cope with people who would not try to help themselves and would not try to get ahead.

It was fascinating. In fact, I promised her I would tell President Bush her story, because she said:

Until we get back to an America where everybody is in the habit of working and everybody is in the habit of serving others and everybody is in the habit of being a citizen, we are never again going to be healthy as a country.

I promised her I would tell the President her story, and I did, on Monday.

□ 2050

I could not help but think all day yesterday and all day today about Margaret Cameron and her vision, a fair, honest, decent, kind, works hard, is frugal by nature, believes it ought to live within its means, goes to its local civic organizations and expects honesty and accountability, believes things ought to be aboveboard, and the kind of total, utter baloney that has gone on in this room for the last 2 days. And I thought it is no wonder that the Margaret Camerons are looking at Ross Perot, looking at anything to break up this city because, frankly, what happened in this room, the U.S. House of Representatives in the last 2 days is so appalling, so frustrating, so perverting to the process of a free society that it is no wonder the American people are sick of it and want change.

The proposition was simple. The U.S. Congress has an obligation to pay for itself. It is a big institution, House and Senate, Library of Congress, Congressional Budget Office, Congressional Research Service, General Accounting Office, lots of pieces. And so it has to pay for itself. It has grown enormously over the last 30 years, gotten dramatically more expensive, and so it has to pay for itself.

Now 2 weeks ago the Democratic leadership said they were opposed to a constitutional amendment to require a balanced budget because we needed courage now, we needed discipline now, we needed to cut spending now. And so they did not want to pass a constitutional amendment to require a balanced budget in the future, because they were going to do something now.

So what happened this week? Their pork barrel, their perquisites, their personnel, their spending came to the floor. With an opportunity to have discipline now? Oh, no. With an opportunity to cut now? Oh, no.

Instead, what they set up was a game to cheat the Margaret Camerons of representation, a game to make sure that the taxpayers would never see the tough amendments, that they would never have the up or down votes in cutting spending, that we would never really scrutinize how the House does business. And frankly, it is very, very disturbing.

My good friend, BOB WALKER of Pennsylvania, began yesterday trying to

make the point, citing from a very important manual, Jefferson's Manual, which was prepared by Thomas Jefferson for his own guidance as President of the Senate when he was Vice President from 1797 to 1801.

In 1937, the House by a rule which still exists provided that the provisions of the manual should govern the House in all cases to which they are applicable. The manual is very important because the key to civilization, the difference between talking about shooting cops and living in a civilized society where the police protect, the difference between working hard to improve our life and looting your neighborhood, the difference between voting in a free election and being dominated by a mob or a secret police is the rule of law. The rule of law matters. The concept of rules matter. It matters particularly if you are the minority, whether you are a racial minority, whether you are cultural minority, whether you are an ethnic minority, whether you are a religious minority, or whether you are a political minority. The rules are all that stand between you and tyranny.

This is how Jefferson began the manual, quoting from page 117 actually because the Constitution precedes the beginning of Jefferson's Manual. He says:

SEC. 1.—IMPORTANCE OF ADHERING TO RULES.

Mr. Onslow, the ablest among the Speaker of the House of Commons, used to say "It was a maxim he had often heard when he was a young man, from old and experienced Members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority, against the attempts of power."

Jefferson goes on to say:

So far the maxim is certainly true, and is founded in good sense, that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check, and which the wantonness of power is but too often apt to suggest to large and successful majorities.

And whether these forms be in all cases the most rational or not is really not of so great importance. It is much more material that there should be a rule to go by than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or capriciousness of the members. It is very material that order, decency, and regularity be preserved in a dignified public body.

What is Jefferson saying? Look at the words he uses, "wantonness of

power is but too often apt to suggest to large and successful majorities."

The last election to elect a Republican Speaker was 40 years ago. For 38 years the Democrats have run the House. There is not a single Member of the elected leadership of the Democratic Party who has ever served in the minority. They have no understanding of the importance of the rule of law. They have no understanding of the importance of the rules. They have no sense of what it is like to be in a minority.

Furthermore, Jefferson describes the caprice of the Speaker or capriciousness of the Members. What is he saying? He is saying that every citizen in America deserves for their Member to have rights on this floor, that representative government requires that every Member have a chance to offer amendments, that every Member have a chance to be heard, that every Member, whether they are representing Margaret Cameron in Vinings, GA, or they are representing someone else in Pennsylvania with Mr. WALKER, or someone else in Washington State with Mr. MILLER, but wherever they are those American citizens deserve to know that their representatives will have a fair and equal chance to effect the will of their constituency.

Let me say that in the last 2 days the tyranny of the majority blocked that fair and equal chance.

Mr. WALKER. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I am glad to yield to the gentleman from Pennsylvania.

Mr. WALKER. Jefferson uses a couple of other words there that I also think are important. Jefferson said in the manual that what you need in a House is order, decency and regularity. That is what we have lost in the last 2 days, and I am afraid it has been building up for some time.

There is no order any longer when in fact the Chair is often used to protect Members who violate the order all of the time. We have often had situations on the House floor here during the 1-minutes when Members have made absolutely outrageous statements about the President of the United States, totally out of order in the House, and the Chair has not protected the business of order. That has become a regular practice. There is little order left that the majority preserves anymore, unless it is something where they are affected, and then all of a sudden order becomes something which is important to them, only to protect themselves.

There is no decency left. We so often find that what we are told one day is withdrawn the next. Literally Members of our leadership have been lied to on what will happen at some point in the future. Decency is long since gone.

And what we now see in actions of the last 2 days is that there is no regularity, that a longstanding tradition of

this House is that on appropriation bills you were assured of at least a motion to strike, you were assured, as we came with more and more closed rules that stopped us from acting appropriately on bills during the authorization process, that at the very least when we finally got to appropriations we would have the ability to strike spending out of the bill that was going for things which we regarded as unacceptable. Now the ability to strike spending is being taken away from the Members. Not only was it taken away in the legislative appropriations bill, but tomorrow there will be another rule brought to the floor, and that will take it away from the Members on the foreign aid bill. So what we find is that the House is more and more becoming a place where there is no regularity.

So the rules process is being used against the minority, and on a day-to-day basis. And I would think that this should become very much of a concern to the Members of the majority party.

□ 2100

They are comfortable, so long as they are in the majority, but, good heavens, some of them may find themselves in a minority position at some point. They may find themselves opposed to something that their party is doing, and they will find out the rules have been stripped away from them as well.

This is the road toward despotism. It is the kind of legislative dictatorship we have seen arise in Europe on occasions within this century in very, very disturbing ways. We ought not let it happen here. We ought to, as the House of Representatives, decide to go back to Jefferson's Manual to stop the wantonness of power of large majorities and to bring order, decency, and regularity back to our processes.

I thank the gentleman for yielding.

Mr. GINGRICH. Mr. Speaker, I yield to my colleague, the gentleman from Washington [Mr. MILLER].

Mr. MILLER of Washington. Mr. Speaker, what we have seen the last day, of course, involved the denial of the right to make motions for specific cuts in the appropriations bill for this Congress. As a result, issues relating to Legislative appropriations were not discussed, were not voted on, the taxpayer was frustrated, and my colleague, the gentleman from Pennsylvania [Mr. SANTORUM], is going to talk more about this.

Now, tomorrow, and this is why I come to the floor tonight, we have a foreign operations bill. The same practice is being followed, the same practice.

A rule has come forth that, instead of allowing major amendments to that bill, makes only four in order, two of which are not going to be offered, so in the whole foreign operations bill it appears there will be two amendments, and with all deference to the authors, these are very narrow amendments.

Now, what were the amendments that they would not allow to be voted on? I headed up a task force of House Republicans in the Committee on the Budget trying to come up with some reforms in foreign operations. My colleague, the gentleman from Pennsylvania [Mr. SANTORUM], joined me; others were involved, the gentleman from Ohio [Mr. KASICH], the gentleman from Texas [Mr. DELAY], the gentleman from Pennsylvania [Mr. RIDGE]. We approached this not with the idea of gutting foreign aid, because we all believe there is a purpose for foreign aid in terms of American security, preserving peace, helping trade, preserving human rights. We approached this from the idea of trying to prune and reform foreign aid, because we recognized that in this country not only do you have the traditional isolationist opposition to foreign aid, more and more groups that have supported foreign aid are growing critical, taxpayer groups, environmental groups, poverty relief groups.

We had before the Committee on Rules two very simple amendments. One amendment would have saved over \$1 billion by doing away with the increase in the capital contribution to the World Bank and its offshoots in this bill. This is the World Bank that has rushed ahead with loans to countries such as China, a dictatorship, a leading beneficiary of World Bank loans, rushed ahead with loans for environmentally destructive projects such as the dam in India that has displaced 90,000 people, rushed ahead with loans to government statist businesses when the world is turning to free enterprise, and this is the World Bank that refuses to give information to this Congress on its specific doings.

Even if our amendment had been adopted, would this have crippled the World Bank operations? Oh, no; no; no; no. The Treasury Department has advised me in a letter that just based on the refloat with the existing capital contributions that they could have increased their loans next year.

Our amendment, though, would have eliminated the increase. We were not even allowed. We were not allowed under the rule to bring this to the floor, a major issue in foreign aid, a message that might well, if this Congress had adopted the amendment, transformed our foreign aid program and sent a message to the World Bank and put the World Bank on the proper course. Not allowed to us.

We had an amendment on the Asian Development Bank to reduce the capital increase there. The Asian Development Bank, you will remember, was set up because the West was capital rich and Asia was capital poor. Now we have a situation, Japan, Taiwan, Singapore; Asia is not capital poor, at least in the Pacific rim. So we proposed eliminating the increase, just the increase. Denied.

Finally, we had an amendment relating to AID, the Agency for International Development, the main agency administering our foreign aid, an agency that has been wracked by scandal, numerous indictments the last year, cursed with over-administration, and one commission after another has found that out, focused on big capital projects rather than helping promote free enterprise or alleviate poverty. And here we had an amendment that said, "Wait a minute, do not increase your administrative budget, do not add more offices. Let us at least freeze the administrative budget of AID." I think we should have cut it 10 percent.

We had an amendment in that regard, too. But I would have been happy if they had even allowed an amendment in the Committee on Rules, a Republican amendment, to freeze AID administration, to the saving of scores of millions of dollars. Denied. We cannot vote on this in the House.

I will tell you something: What we have done, what the Democratic leadership has done, make no mistake about it, in frustrating the desire to reform foreign aid by this rule, they may well be ensuring the defeat of the foreign operations bill, something I think would be unfortunate, because, as I said at the beginning, I believe foreign aid has a proper place in American foreign policy.

But this is what happens when you try to cut off debate. This is what happens when you try to cut off the right for Republicans to make amendments.

It is ironic, because we have had, you mentioned, my distinguished colleague, the gentleman from Georgia, you mentioned the balanced budget amendment that we voted on a couple of weeks ago, and how the majority said, "Oh, we do not need the amendment. We should just go ahead now with deficit reduction, show the courage." Of course, the now comes first on Legislative appropriations; tomorrow on foreign operations. We are not going to have the chance to show the courage.

But there is another constitutional amendment that comes into play. You hear all this discussion about the line-item veto. Remember? Should the President be given the line-item veto? The opponents say, "Oh, no. Do not give the President the line-item veto. This is a legislative function. We should be able to prune and revise and improve legislation."

What is happening? Our ability to affect line items in appropriation bills, which they have denied the President, they are now denying to the Congress.

So I join in this special order. I hope the majority will take another look at this issue, go back to the system that existed previously, allow major substantive amendments on appropriations bills. I certainly hope they do it on the Foreign Operations bill, because

this is one Congressman who strongly supports foreign assistance but understands that if it is going to retain the support of the American people, there have to be reforms.

I thank my colleague for yielding. Mr. GINGRICH. Mr. Speaker, let me comment, if I might for just a moment, about my good friend, the gentleman from Washington State, who is a member of the Committee on Foreign Affairs, has done tremendous work on reforming foreign aid, and understands that we need to modernize our foreign aid program.

Because I want to make very clear to our colleagues and to those who may be watching or may read later, that the principle is very simple. The Democratic majority is going to attempt tomorrow to pass a closed rule to prevent any Member, Democrat or Republican, from offering spending cuts on foreign aid including reforms which would certainly pass, because if they are allowed on the floor of the House, they are so obvious, so clearcut that the outrage, the abuse and the waste is so indefensible that they would pass.

So in order to avoid, on foreign aid, allowing us to make foreign aid more efficient, the Democratic majority is prepared to try to pass a rule which will force us to vote yes or no on inefficiency, waste, abuse, obsolete performances, bad bureaucracies, and dumb programs.

□ 2110

Now, I am going to do everything. I can to make sure that every Republican tomorrow votes against the rule. I am going to challenge every Democrat who has to go home later and say, "Oh, I'm really concerned about spending."

How can you possibly vote to kill every amendment except two that would cut spending, and then go home and with any sense of honesty, any sense of integrity, pretend that you care about cutting spending?

As I was talking about Margaret Cameron who works, 82 years of age, 4 hours a day at the Piccadilly Cafeteria, you know, the money she earns matters. It is not much, but it is real, and to be told that Congressman MILLER of Washington State cannot defend the money of his hard-working workers, that he cannot defend the money paid in taxes in Seattle, that he cannot decide whether or not to offer an amendment to an Asian development bank that made sense 20 years ago and makes no sense today, I think it is an outrage and a legislative tyranny and it is totally wrong.

Mr. SANTORUM. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I am glad to yield to my friend, the gentleman from Pennsylvania.

Mr. SANTORUM. Mr. Speaker, I thank the gentleman for yielding to me.

It is a privilege to join in a special order of this nature because I think it does point to some of the serious problems facing this House.

I would like to pick up on some of the points that my colleague, the gentleman from Washington [Mr. MILLER] was talking about, and first compliment the gentleman for just an outstanding job. I have had the privilege of working with the gentleman from Washington [Mr. MILLER] on the Budget Committee now for 1½ years. When we started on this project, JOHN MILLER, JOHN KASICH, TOM DELAY, and I, a year ago, we were convinced after sitting through another budget resolution, mindless as JOHN used the term, mindless across-the-board reductions in the budget are just that mindless and we should do better in proposing some responsible alternatives, and the gentleman from Washington [Mr. MILLER] as well as the three others came out with some very solid proposals, many of which have been adopted in other areas; but the proposal of the gentleman from Washington [Mr. MILLER] on foreign aid is not only a good idea, and from everything I have seen, I have met with people from the administration to people all over, people who have interests in the foreign aid bill, people here in the Congress, I have not met anyone who thinks this is a bad idea. I have not met one person, talked to one person when we presented this who said that this is foolish, this makes no sense, this is wrong. Everyone said, well, yes, these are obvious reforms. These are things that we need to do. You are absolutely right.

We offered these amendments in the Budget Committee, the gentleman from Washington [Mr. MILLER] did. Everyone sat there and said, well, you know, these are not bad amendments, but this is not the place to do it because you do not want to do these specific things in the Budget Committee.

So we said OK, fine. We will wait until the Appropriation Committee comes around.

Now we are being told by the Rules Committee, well, this is not the place to do it. Wait for the authorizing bill.

Well, as you know, we have been waiting 2 years for an authorizing bill and we may never have another authorizing bill in my lifetime. I do not know.

Mr. WALKER. Mr. Speaker, if the gentleman will yield, at one point today the authorizing committee was talking about folding their bill into the foreign operations appropriations bill and doing it without amendment on the floor, that they were going to do it as a motion to recommit.

We finally talked them out of that ridiculous notion, but at one point you were going to have the authorization bill taken away from you, too.

Mr. GINGRICH. By the way, would the gentleman just mention the size of the bill?

Mr. WALKER. Yes, it was 650 pages that we were going to do with 10 minutes of debate.

Mr. GINGRICH. Would the gentleman repeat that. Was it 650 pages?

Mr. WALKER. Six hundred fifty pages.

Mr. GINGRICH. Sixty hundred fifty pages of foreign aid authorization without a single amendment to be dumped on to the Foreign Operations bill to pay for it, where they do not want to let amendments, either.

We just celebrated with Yeltsin the spirit of democracy a week ago today.

But go ahead, I yield to my friend, the gentleman from Pennsylvania.

Mr. SANTORUM. Mr. Speaker, I just want to say that the work that is done here, we may have objections on their side saying, well, this is some hatched-up idea, that we are just trying to mindlessly cut. This is not. This has been something we have been circulating around this Hill for over a year. We have had discussions, as the gentleman from Washington [Mr. MILLER] said, with environmental groups, to poverty groups, people who are interested in specific programs. No one has come forward and given us any substantive argument as to why these reforms should not be made, except for the fact that, well, this is not the place to do it.

Mr. MILLER of Washington. Mr. Speaker, will the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from Washington.

Mr. MILLER of Washington. Mr. Speaker, I thank my colleague for his kind words.

Obviously, our package included more than the amendments that we referred to. It included changes in the Food For Peace Program, but that is in the agriculture bill.

Obviously, we would have liked to put through an AID reorganization bill, but we are not allowed to do that, so the only opportunity we have is certain amendments in the appropriations bill.

I thank my colleagues from Pennsylvania and Georgia, their eloquence on this issue is fully justified. My colleague, the gentleman from Pennsylvania [Mr. SANTORUM] has not only worked hard on this foreign aid reform, but I know that he has worked very hard in taking the lead on some of the amendments, some of the proposals to cut spending in the legislative branch that we were not allowed to offer today. I think we should go through some of those.

Mr. SANTORUM. Mr. Speaker, I appreciate that, and I would be happy to do that.

I would just like to give sort of a scorecard of what has been going on here. Two days ago I appeared before the Rules Committee before this nefarious activity began. I believe there were 27 amendments that were offered to the Rules Committee. By my count,

of these 27 amendments, 3 were offered by Democratic Members—

Mr. MILLER of Washington. This was on the legislative branch appropriations?

Mr. SANTORUM. Legislative appropriations, this was on Monday and yesterday.

Three were offered by Democrat Members. Twenty-four were offered by Republican Members; ultimately as a result of points of order that were not waived, et cetera, actually only five amendments were allowed to be voted on the floor of the House. Of those five amendments, all three of the Democrats were allowed and two of the Republicans. So the Democrats went 3 for 3 in the Rules Committee and the Republicans went 2 for 24.

I do not know in what sport you can compete and do 2 for 24 and stay in the league very long, but that is exactly what we are being penalized with.

We were allowed to offer two amendments to the bill here. I went to the Rules Committee and asked to have three amendments made in order, two of which would be subject to a point of order. One was what the gentleman from Pennsylvania [Mr. WALKER] referred to as a striking amendment. A striking amendment is simply taking the number that is in the appropriations bill and reducing it, striking it to a lower figure. That is what I attempted to do. That is in order under every appropriations bill. Maybe the gentleman from Pennsylvania or the gentleman from Georgia can help me on this, because I have limited experience with appropriations bills.

But in your recollection, can you ever recall an appropriations bill where you did not have the right to strike here on the floor?

Mr. GINGRICH. I think there have been two in modern times.

Mr. WALKER. I am told this has happened on a couple other occasions on the foreign operations bill. When it comes to foreign aid, we seem to have a growing pattern here of not allowing this on foreign aid, but now it is beginning to slop over into other areas, and obviously hit legislation.

Mr. SANTORUM. To the gentleman's knowledge, it has never happened on a legislative appropriations bill?

Mr. WALKER. Well, I think this is the first time in history that this happened on a legislative appropriations bill. It shows what Congress believes the public thinks about itself.

Mr. SANTORUM. I am very interested in the gentleman's opinion on why he thinks this is going on. We had offered to the Rules Committee 27 amendments. I reviewed all 27 amendments. None of them would be considered by anybody as draconian cuts. There were no meat axes taken to the legislative appropriations bill. There were some amendments, two of which were mine, which were clearly subject

to points of order here on the floor which were legislation on appropriations bills.

My excuse for that, frankly, is that we do not have an authorization bill that we can legislate on here as Members concerning our own body, and this is our only opportunity, but I can accept the fact that under the general rules of the House, legislation on appropriations bills is not Hoyle.

Mr. WALKER. Except that they permitted it on a couple amendments that they favored.

Mr. SANTORUM. Well, that is correct, they did. They waived them in the amendments they favor. That is correct.

But I would not even expect that, but what I would expect is the opportunity for the one amendment that I had in order which was to strike the franking account to be made in order, and yet of these 27 amendments, 15 were to strike. Some of them were duplicative. I think there were three amendments to cut the franking account.

Of these 15 amendments to strike, none of them were bad, I mean, as far as deep cuts that were going to cripple programs, yet none of them were allowed—well, two or three were allowed to be offered.

What possible reason, because it certainly could not have been the fear of any of these passing, because had they all passed, with the possible exception of the GAO, in which we had the debate because it was probably the deepest of all the cuts, so they allowed us one deep cut that they knew would have trouble passing; but with the exception of that, what possible reason could there be that they are fighting us?

Mr. GINGRICH. Let me give the gentleman a very simple reason. It has nothing to do directly with legislative appropriations, although that is the center of their party empire.

The fact is, as liberal Democrats have become less and less popular, as it has become less and less defensible in public to prop up the welfare state and prop up the elitist counterculture and prop up the bureaucracy and prop up the pork barrel, they simply cheat by rigging the game.

□ 2120

It is like a contest in which, as we get better, as more Americans decide that broadly conservative values are right, they set up a new scorecard. Imagine a baseball game in which if you are a liberal Democrat, a foul ball is a homerun. If you are a Republican, a homerun is an out. That is literally, when we talk about the rules so that everybody back home can understand, this is how badly rigged this room is today. After 38 years of Democratic Party one-power rule, they routinely rig the game. The Rules Committee comes in and says we will now structure it so that this will happen.

Mr. SANTORUM. But this is a party that has a 102-vote majority on the floor of the House.

Mr. GINGRICH. Right; and I think that is part of it. Lord Acton warned that power tends to corrupt and absolute power corrupts absolutely.

What you have is a Rules Committee which, for all practical purposes, has absolute power on behalf of the Speaker.

So in the terms of a fair rule, it is a corrupted process. They walk in and say, "We have a liberal Democrat who wants to offer an amendment. Of course, it will be made in order so that they can go back to their constituency and claim that they got something done." We have, as the gentleman pointed out, 24 Republican amendments. Why would we make them in order? I mean they may be good ideas, they may be terrific ideas on foreign aid, they may improve the system, they might improve health care, they might improve the welfare system, they might improve policing. But after all, they do not fit the liberal welfare state. The public employee unions did not approve them, the trial lawyers did not approve them, the left-wing activists did not approve them.

Mr. SANTORUM. I guess my point is if you have a 102-member majority on the floor of the House, why won't you let them do it?

Mr. GINGRICH. I will explain one more second, and then I will be glad to yield.

Because they are so out of touch with America that if we had 2 weeks of open rules where we could force votes on amendments, we are so much closer to the values of the American people than the liberal Democrats that we would win most amendments. We would simply beat their majority because their average Member would come in here and say, "Let me understand this. I get to vote with the big cities, the labor unions, the trial lawyers, and the left-wing activists. Or I can vote with the other 80 percent of America. I think I will get reelected by voting with the other 80 percent of America." They would literally lose control of the place because they would not be able to put their votes up here where they are recorded on the wall.

They knew, the Democratic leadership knew if they allowed the gentleman's amendment to be in order, it was going to pass. They know that on amendment after amendment, cutting spending in 1992 is popular.

The American people are sick of being told they have always got to pay more taxes to Washington.

They just saw Governor Clinton promising to raise taxes. That is why he is at 24 percent in the polls.

So the American people, if they had 10 or 12 votes in 1 day or that average liberal Democrat had to vote for more spending, and indefensible spending—as

you know, some of those amendments you could not have explained back home. So they said, "We have an idea, we won't let anybody vote. We won't let anybody know." All you got to do is get through one vote, give the Speaker and the Democratic majority total power of the rules and we will protect you from yourselves.

So they all hid behind the rules.

I yield to the gentleman from Pennsylvania.

Mr. WALKER. I just want to point out to the gentleman that that was confirmed to me by a couple of Democrats who came up to me, just talked to me on the floor today and were expressing some sympathy with the positions that I have been articulating out here, and said there are a number of Democrats who are very disturbed with what they see as a developing pattern here, that they really do believe that their rights are being stripped away from them as individual Members, too, and they are very disturbed that they are becoming a part of a kind of despotism that worries them.

They said the reason why it is happening is because there are too many Members on their side who do not want to cast tough votes. So therefore rather than being caught in a whipsaw between their leadership and with the folks back home, they have decided that despotism is better than democracy and they are perfectly willing to shut down the operations as a way of preventing themselves from having to cast votes that at some point someone might call them for in a political context.

You know the problem with that is that is exactly the way democracy gets lost. People who have so much fear, who fear for their own personal security to the point that they will deny themselves their rights and deny others' rights, and that is exactly what is happening in the House.

Mr. SANTORUM. I asked the question of the gentleman from Georgia because I wanted to elicit a response from him. But he hit exactly on the word that I think is apropos here, and that is the word "fear." There is an intense amount of fear here of the people in this body have for the American public. They are afraid, they are afraid to let the system work and to be exposed perhaps for doing what is not in the best interests of America.

So in that fear of upsetting the voters back home and not getting reelected, that fear drives you to very irrational behavior, in my opinion, very irrational behavior, as a legislative body.

Mr. GINGRICH. I yield to the gentleman from Washington.

Mr. MILLER of Washington. I thank the gentleman for yielding. I think maybe we should review for those who are listening and watching this what the bills are that we are talking about here.

Every year we have 13 appropriation bills that come to the floor. These are the bills that spend the money that the taxpayers pay out. This is the most important function of the Congress, to pass and decide on the appropriations bills.

Now, if you have a situation such as took place today on the appropriation bill for the legislative branch, where major amendments are prohibited from being offered, if you have a situation which apparently will be the case tomorrow on the foreign operations, the foreign aid bill, where major amendments will not even be allowed to see the light of day, Republicans are denied the right to make amendments, if that pattern is followed through the 13 appropriation bills, what is going to happen?

Well, of course, we are going to end up with appropriations bills that are larger, we are going to end up with appropriation bills that have more nonsensical provisions that could have been removed with amendments, we are going to end up with appropriation bills that just continue the status quo in every section of Government instead of allowing the possibility of change, reform, of rejuvenation.

This is I think what is going on, my colleagues, today in this House. I do not know if any of you would like to comment on that, whether you agree or disagree with me on this appropriations process.

Mr. GINGRICH. Let me comment for a second. Let me say that truly if visitors when they came to the Capitol, in order to understand what Mr. MILLER of Washington just stated, if they would go look at the appropriations. They are all tiny, they are all hidden away. None of them is susceptible to cameras. I do not know whether C-SPAN ever films an appropriations markup.

Then go upstairs and look at the Committee on Rules, where they kicked out C-SPAN yesterday because they did not want the country to watch what the Democratic leadership was doing.

So you have hidden away tiny rooms all over the Capitol where the money gets spent and then you have hidden away up here a tiny room where the rules get shaped.

Then they come to the floor and they try to rush the bill through before the American people can see what happened. So billions of dollars can get to the floor, get gavelled through by the auctioneers with special interests and get sent off without anybody ever having seen exactly what is involved.

Then we wonder why are the American people so outraged? How could they not be, given this kind of behavior?

I yield to my friend from Iowa.

Mr. NUSSLE. I would just respond to my friend, the gentleman from Wash-

ington [Mr. MILLER] that I think at least the way I always understood it, learning it in school before I came here as a freshman Member this past year, I always learned that the appropriations process was a period of time where we set the priorities for the country, where we as Representatives decide what is important. Unfortunately, most of the priorities are tied to money and therefore our priorities are determined in appropriation bills. But be that as it may, that is when we set the priorities for the country.

What I have also learned in talking to people, whether it is in the Chat & Chew Cafe in Thornton, IA, when I was talking to a number of farmers, or whether it is at a town meeting, my constituents tell me they are very frustrated because they do not see us setting the true priorities for the country. They see us crisis-managing every issue that comes up. They see us not setting the priorities in terms of issues but setting the priorities in terms of our own personal reelection and political future.

One of the frustrations I have had, and it was heightened by what Congressman SANTORUM was talking about in the closed rule, is that we do not have the opportunity in this body to have the great debate, we really do not.

□ 2130

We really do not, and, during the debate on the balanced budget, the very brief debate that we were all allowed to have on the balanced budget, I mentioned what I thought we need here in this body is some strategic planning, some ability for us to get together as Representatives, do the job we were paid to do and set priorities for the country. It is unfortunate that we have so many other commitments that it is very difficult to do that.

I think what it is going to take, and a Democrat Member, senior Member, the gentleman from Kentucky [Mr. MAZZOLI], agreed with me on this, and I was kind of surprised to hear it; he said to me, and I made the same statement, that we ought to make it mandatory that Members of Congress come into this room, and let us lock the doors, and let us start talking. Let us start having that great debate again because, Mr. Speaker, when I say to a constituent back home in Iowa that health care is an important issue, they no longer believe me, or any other Representative that stands up and says that health care is an important issue, because for the last 25 years politicians, candidates, Congressmen, Senators, Presidents have stood before the American people and said that this is important, that I have a plan, that I have an issue, and yet every single year we fail to get the job done.

So, Mr. Speaker, it is no wonder at the end of a period of time like that that they are looking for change, that

they are looking for reform, and my answer to all of this, and trying to answer the question of the gentleman from Pennsylvania [Mr. SANTORUM] of why and what needs to be done, is that the only way for us to regain, I believe, the trust, earn back the trust, of the American people is to change the way we do business here.

Part of that is open rule, changing the way that we debated the bill today, the bill that determined how we were going to set up the structure of the House of Representatives, but also the way we set priorities in this country and in this House of Representatives.

Mr. Speaker, we do not have that opportunity. Very few times in my brief time here in the House have I had that kind of debate. I have had better debates at church council meetings back in Manchester, IA. I have had better debates with farmers over coffee at 7 o'clock in the morning in a cafe in Independence, IA.

Mr. MILLER of Washington. Mr. Speaker, if the gentleman will permit me, they do not adopt a rule in that cafe; do they, that prevents the gentleman from bringing up a major subject or—

Mr. NUSSLE. Exactly. That is exactly how it works. They will say, as my colleague knows, "What's important for us to discuss today? Health care?" Or, as my colleague knows, "What's important to discuss today? Budget deficits?" And, Mr. Speaker, they throw it up as a jump ball, and people get to jump in whether they are a freshman Member from Pennsylvania, or a senior Member from Georgia, or wherever they are from. They have the opportunity; maybe not quite as senior as they would like it to be, but they get the opportunity to jump in.

Mr. GINGRICH. It is the gray hair.

Mr. NUSSLE. I understand, but I say to my colleagues, "You get the opportunity to jump in, to have your piece, to say what's on your mind, to represent the woman that Congressman GINGRICH is talking about or the farmers from Thornton, IA, that I represent. You have that ability."

Mr. Speaker, we are not given that ability today, and I would make the case that we do not work hard enough.

Mr. WALKER. Mr. Speaker, I just want to point out to the gentleman, if he would yield, that just up until a few years ago we did have the chance to have those kinds of debates in the House.

We used to proceed under a process known as the 5-minute rule where any Member in the course of debate simply got up and got 5 minutes of time, and they could yield during their 5 minutes, and then, at the end of their 5 minutes, they could get additional time, if need be, to have debate.

And I say to my colleagues, "You know, we had real discussions on the floor. We didn't have somebody getting

up under a structured period of time where they have been yielded a couple of minutes, and they hurry to get their speech in, and then you have some other disconnected speech given, and then someone else gets up and gives a disconnected speech. You had real discussion. You had real debate on the floor."

Sometimes the debates got quite intense, but, as my colleagues know, they formulated policy, and out of that we even derived amendments. Good heavens. We even had some amendments written on the floor based on what people heard in debate, and we got bills corrected through that.

Today, under the structured process, we cannot have those debates anymore, and so we have lost something very precious in this body. We have lost the ability of Members to interact in a way that actually begins to develop policies and even ends up in some cases changing legislation. Today we operate purely under structure. There is no debate that is meaningful.

No wonder no one shows up, because no one is saying anything worth hearing anyhow, and we have lost something very, very important, and we have lost it because the Democrats got to the point that they could no longer sustain themselves in debate. They lost their confidence. They felt as though they were losing those debates, and so what they have ended up doing was closing down the process so they no longer had to face questions, and it is a real shame because we have lost the most precious thing the House had going for it, and that was it was the single most important debating place in the world.

Mr. GINGRICH. Let me, if I might, just say that anybody who has heard the gentleman from Illinois [Mr. MICHEL], the Republican leader, talk about what it was like to serve under Sam Rayburn and what it was like to have the House as a legislative body writing legislation in a free and open way with every Member, Republican, Democrat, liberal, conservative, freshman, senior, every Member able to participate in the legislative process; if we listen to Congressman MICHEL's description of what a legislative body is like, and then we look at the petty tyranny of the modern Democrat majority, and we look at the kind of legislative dictatorship that is gradually establishing this, there is an astounding difference in the style of the two systems.

I yield to the gentleman from Washington [Mr. MILLER].

Mr. MILLER of Washington. So that basically these decisions by the Committee on Rules to not allow the offering of amendments to major appropriations bills, this is a recent Rules Committee practice; is that what the gentleman from Georgia [Mr. GINGRICH] and the gentleman from Pennsylvania

[Mr. WALKER], my colleagues, are saying?

Mr. GINGRICH. To the best of my knowledge on domestic spending this is the first time in the history of the House, but I may be wrong.

Mr. WALKER. Absolutely. This is very recent development. This whole idea of closed rules being the way in which we govern the House is a very recent development.

Mr. SANTORUM. My understanding was that I remember taking the floor of the House maybe a month or two ago, and I said, and I had gotten information from the Committee on Rules that every rule, and I think it was sometime in May, that every rule up to May had been a closed rule, every rule on every bill that came before the House.

Mr. MILLER of Washington. This year?

Mr. WALKER. This year.

Mr. SANTORUM. This year, starting on January 1, 1992.

Mr. WALKER. It used to be that closed rules were a very unusual practice. Only a handful of rules would come to the floor that were closed. Sometimes they had waivers in them, sometimes there were little changes, but for the most part we debated on the House floor under open rules.

Now well over half the rules that are passed are closed rules, which means; No. 1, that we do not get to offer amendments when the rule is closed, but it also structures the debate like I was talking about before. Not only did we get amendments, but the amendments we did get today were limited to 20 minutes or 30 minutes divided half to each side.

Mr. Speaker, they say that that is in the name of efficiency. Well, what happens in the efficiency then is that the time gets allocated in little bits and pieces, and nobody gets a chance to make a very articulate statement. No one gets a chance to really participate well in that kind of structure. So, we really end up with a debate that almost is indiscernible, and it is a terrible, terrible process, and it is very recent in its application in the House. We have only gone to this within the last three or four Congresses. That is when the trend really began.

I had great hopes when Speaker FOLEY came in following Speaker Wright that we would have some changes in this regard. The gentleman from Washington [Mr. FOLEY] had always been a man, when he debated on the House floor, who was one of the most articulate people they had. He was someone who could handle himself well in debate. He was fun to debate because he always handled himself so well.

Mr. Speaker, I thought we would get back to those kinds of debates. I am sorry to say we have not. Instead we have moved ever more down the road

toward closed debates, and we are heading rapidly, I am afraid, toward no debate.

Mr. GINGRICH. Let me draw a parallel for just a second because I find what I have lived through recently is so extraordinary.

As the whip, Mr. Speaker, I have been allowed to escort Vaclav Havel, poet-playwright-President of Czechoslovakia. He came here. In one of his comments he said in October, he said he was imprisoned in December. They offered him the Presidency. So, that was real change.

We escorted Lech Walesa, a man who climbed over the wall to get back into the shipyard in Gdansk in a police state when he could have been shot to join the strikers. He is now the President of Poland.

We had Violeta Chamorro whose husband died at the beginning of the Communist revolution in Nicaragua, and she is now the President of Nicaragua.

Last week we had Boris Yeltsin, a man who showed enormous courage, stood on a tank and faced down the threat of a coup, risked his life and is the first freely elected President of Russia ever in the history of the human race.

Mr. Speaker, I find it fascinating that all of these people come to us and say, "Freedom is important. Freedom matters. What you Americans have taught us is essential."

□ 2140

The President of Germany came and said, "You know, America is like the story of Sleeping Beauty. America is the prince who brings the kiss of freedom and opportunity to the sleeping princesses of the world."

They come to this Chamber where for over 200 years free people have argued and debated and voted. And yet week by week, month by month, the democratic despotism of the Democratic Party closes the Rules Committee down more, closes the procedures down more, builds a wall of secrecy on legislation behind which its timid Members can hide. So they run in. They hope that procedural votes do not count.

I listed today every cut that would have been offered, and I said I will go to any district in this country and debate any Democratic incumbent. If you voted for that rule today, you voted to kill 15 spending cut amendments, and you had better have the courage to go back home and be honest about it. Because I think many of us are prepared to come into any district and say this is what that vote meant. That vote killed 15 spending cut amendments on the legislative bill, and here is what they would have been.

Now we are going to have a chance tomorrow. They are going to bring the foreign aid bill in. I mean, what madness? If there is any bill that needs to be improved so we can pass it, and I am

a strong supporter of foreign assistance, and I have worked closely with the Bush administration to get a bill through, and I believe we need to do things, and I promised President Yeltsin that I would work with him to try to help him, but to be told by the Democratic majority that we cannot improve the foreign aid bill, we cannot cut out the waste, we cannot reform the procedures, we cannot change the things that are obsolete, that we have to throw away and waste the money of the American people because the Democratic Party and its Rules Committee will not allow us to offer amendments?

I will do everything I can to defeat that rule tomorrow, and I will do everything I can for the rest of this year to drive home in every district of every Member who votes yes that that is a rule to strangle the democratic process in America and to guarantee that your money is wasted overseas. Because I want to have a clean, good, modern, reformed foreign aid program that we can defend back home when we vote for it. And the process of the Democratic Party in this House blocked that kind of reform.

I will be glad to yield to my friend from Pennsylvania.

Mr. SANTORUM. I appreciate your comments, and I would say that back home Congress is not very popular and legislative appropriations would not be very popular, but foreign aid is not very popular either. And to have us come to the floor of the House, and two things that the American people are saying is, "Listen: you guys are living too fat and high on the hog and we need to trim you guys back, and say oh, no, we are only going to allow limited amendments on that."

The other thing I hear, and I am sure we all hear in all our districts, is, "Quit giving all this money that we don't have any accounting for, that we just keep giving all this money away to all these governments all over the place for things that we don't even—and take care of ourselves here at home."

Well, on that bill too we are not going to have a chance to make any reforms or to pare back any spending there. No, we are going to get whatever the Rules Committee decides and jams down our throats.

Now, I do not understand. Any group of people who have any semblance of touch with what is being said in America, who realize the phenomenon of Perot, and say, "Well, on two things that the American people really do not want to spend a lot of money on, we are not going to allow this body to debate that."

That, to me, is incredulous to me, that a leadership can allow that to occur, especially when you have amendments out there, as the gentleman from Washington is offering,

that are good solid amendments that would improve the entire process. But yet that is what is going to happen.

Mr. GINGRICH. Let me just say, to be candid, the way that America changes itself and renews itself is called an election. Jefferson said every generation is allowed a revolution. He meant by that at the polls, an election.

Lincoln in his first inaugural said the American people have every right to a revolution, and the place you get it at is a ballot box.

You, my good friend from Pennsylvania, defeated an incumbent. You know what it is like to run against somebody who has been in Washington.

Can you imagine a Member going home in October and saying oh, yes, I voted to kill every amendment on legislative appropriations, I voted to kill every amendment on foreign aid, I voted to kill every amendment, and you go down the list, and not have the American people say, "You have just lost your mind. What do you mean, you won't allow amendments?" Because that means that a Member who votes for a closed rule has to be prepared to defend every item of the bill. Because they are saying with that closed rule, this bill is so perfect it does not need to be improved.

I will be glad to yield to my friend.

Mr. NUSSLE. Well, let me ask, because this has been bothering me for some days now, because the people are upset, and, as you said, the way that we effect changes is an election.

But my concern is, and I would ask this in the form of a question, what do you say to the people that are thinking of staying home? Basically throwing up their hands and saying one person cannot make a difference? I cannot make a difference, whether it is in my town, whether it is in my county, whether it is in my State, whether it is going on in Congress, I cannot make a difference in effecting open rules.

I mean, I hear these people on the floor of the House talking about open rules and legislative appropriations. I do not understand that. I understand some commonsense type things, but I am thinking of staying home, because I don't hear anybody talking my language. I don't hear anybody setting the priorities for the country. I don't hear anybody deciding what is important to me as I sit on my couch watching this at home.

What do you say to a person who is thinking of staying home this fall, and maybe not providing that revolution in the form of an election?

Mr. GINGRICH. I simply say to them, remember the words of George Bernard Shaw, who said, "All that is required for evil men to succeed is for good men to do nothing."

Every decent, hardworking, honest American who stays home makes it easier for the pork barrel, for the professional politicians, for the insiders,

for the ripoff artists, for the people who do not want the American people to vote.

So I say to every American citizen, I do not know of any year in my lifetime where it is more important for you to pay attention to the issues, to register, and to vote.

CUT FOREIGN AID ASSISTANCE COMPLETELY

The SPEAKER pro tempore (Mr. WISE). Under a previous order of the House, the gentleman from Mississippi [Mr. TAYLOR] is recognized for 5 minutes.

Mr. TAYLOR of Mississippi. Mr. Speaker, I ask unanimous consent that in order to save a few dollars for the taxpayers, that my remarks not be included in the RECORD.

The SPEAKER pro tempore. The Chair declines to entertain that.

Mr. GINGRICH. I do not think you can ask that.

Mr. TAYLOR of Mississippi. Sure you can. You can ask unanimous consent for anything.

The SPEAKER pro tempore. The Chair declines to entertain the request.

Mr. TAYLOR of Mississippi. Mr. Speaker, I would also like to ask unanimous consent, in an effort to save a few dollars for the taxpayers, I would like to dismiss the staff.

The SPEAKER pro tempore. The Chair also declines to entertain that request. The gentleman may proceed for 5 minutes.

Mr. TAYLOR of Mississippi. Thank you, Mr. Speaker.

Mr. Speaker, tomorrow the House of Representatives will vote on the foreign aid appropriations bill for 1993. It is approximately \$15 billion. I would like to remind the American people that the budget submitted by President Bush and the budget that will apparently be passed by Congress will be about \$399 billion in deficit this year.

So what the House will debate tomorrow is whether or not we as a nation will borrow money, one-third of which that money will come from Japanese and German lending institutions, so that we can give it away in foreign aid.

I would like to remind the citizens that I have the privilege of representing some of the world's greatest shipbuilders in south Mississippi. The shipbuilders throughout our country have had a tough decade. We have lost 300,000 shipbuilding jobs in the past decade, mostly since President Reagan recommended, and unfortunately this Congress approved, a reduction and actually the elimination of the subsidies for building ships in this country.

It is my understanding that next week President Bush will recommend and I certainly hope Congress will not accept a provision that will allow U.S. taxpayers' dollars to be used to purchase ships overseas, and then those

ships will get an operating subsidy paid for by the taxpayers of America.

The point that I am trying to make, sir, is that there seems to be a bias against Americans in this country. A few weeks ago the administration submitted to the Committee on Merchant Marines and Fisheries, of which I am a member, a provision to charge license applications in our country. If what is called a jackup oil rig has the American flag, it is American made, an American crew on board, the cost of that license would be approximately \$6,000. If a foreign flag vessel sought the same license, it would be \$10,000.

There has come a time in our Nation, and that time is now, to start looking out for Americans. It is senseless to spend \$15 billion on foreign aid.

I have just heard a number of my colleagues offer regrets that they could not offer amendments tomorrow. I have one better solution: vote the bill down.

□ 2150

Let us not have any window dressing. Let us not reduce it by 5 percent, 10 percent, 20 percent and go home and say, "Look what I saved you."

If we want to save the taxpayers some money, let us cut out the entire foreign aid authorization and appropriation and save the \$15 billion.

I would additionally like to remind the gentlemen that later on in this session, I hope, there will be a bill come out of the Committee on Armed Services, Foreign Operations Committee that will reverse the practice where 5 nations get first crack at surplus equipment from the Department of Defense.

I say they get first crack at it because before your county supervisor, your county commissioner, your city councilman, or your mayor can ask for a surplus piece of equipment, five countries have the opportunity to decide whether or not they want it. And if they want it, the taxpayers of America will have to pay to have it repaired, pay to have it crated, pay to have it shipped on the vessel of their choice to the place of their choice in their country. Again, another bias against Americans at a time when our cities and counties are so desperate for cash.

And lastly, Mr. Speaker, I regret that it is the ruling of the Chair not to allow that my remarks not be included. Obviously, there are a lot of people around this country with VCR machines. Obviously, a tape of these proceedings is being made. The purpose of this lady being here today taking down my remarks is superfluous.

The cost of the CONGRESSIONAL RECORD is over \$400 for every 8 minutes of speeches. You gentlemen in your eloquence a few minutes ago cost the taxpayers approximately \$7,000. That does not include the cost of having the staff here.

I have no problem with Members addressing the American public. As a matter of fact, I think that is a very important part of our job. But I do not think it should ever be done under the guise that we are addressing the House. The House is obviously not here. The House has gone home. It is almost 10 o'clock at night. If the Members choose to address the people of America, then let us make a room available in the Capitol with a television camera and if C-SPAN or some other network chooses to record this at no cost to the taxpayers, then let us show it. But let us not spend \$7,000 an hour for people to go on television at the taxpayers' expense. It is just not fair; \$7,000, incidentally, is a heck of a lot of money in Mississippi. Every 5 hours of this debate would pave another mile of street. Every 5 hours of it would buy a backhoe or a bulldozer for some community somewhere in our country. If we are really sincere about saving money, let us change the practice of special orders as we now know it. Allow the overworked staff to go home at some reasonable hour during the day.

One of the reasons they are paid pretty well is because they have to work crazy hours. These special orders go on all night. Let us see to it that if the networks think these speeches are worth covering, they cover them at their expense, but not the taxpayers of the United States of America, the same people who tomorrow will be asked to shell out \$15 billion in foreign aid.

A FURTHER DISCUSSION ON SPECIAL ORDERS

The SPEAKER pro tempore (Mr. WISE). Under a previous order of the House, the gentleman from Pennsylvania [Mr. WALKER] is recognized for 60 minutes.

Mr. WALKER. Mr. Speaker, that was a fascinating discourse we just heard from the gentleman from Mississippi, who has, in the course of his remarks, suggested that we eliminate the special order time, which, of course, is another time when the minority gets to control a little bit of time in which they could debate. This gentleman wants to shut that down.

The gentleman also, as I understand it, wants to shut down keeping a record of the proceedings of the House of Representatives, that he does not think we should have a CONGRESSIONAL RECORD any more. That is almost unbelievable.

One of the most important things that the American people need to have as we proceed legislatively is a record of what we said. That record is what allows agencies of the Government to decide what was meant when Congress did these things. And it is absolutely fundamental to the process to have a written record of what goes in the U.S. Congress.

The very idea that the gentleman would propose that not only should we

begin to shut down the debate but, having shut down the debate of the House of Representatives, as his leadership is doing consistently and which he consistently supports on the rules, then he proposes that we do not keep a record of what we are doing here. It absolutely boggles the mind that we should have that kind of attitude.

I think once again it demonstrates how far out of touch the Democrats in the House are becoming. This forum is one in which Members get to express a variety of viewpoints. It is time that is not wasted in this gentleman's opinion. It is time, since the earliest days of Congress, that Members had had to do it. But long before there was television, there were special orders. Long before C-SPAN began to cover the Chamber, there were special orders of Members coming out here and expressing their opinion on issues of importance at that time.

There is no reason why it should not continue. And to suggest that somehow this is time that should be taken away from the Congress, I think would be a terrible mistake.

Others on his side have proposed it. It has always been on the idea of cost. It is amazing, however, that costs do not seem to bother them when we have a legislative appropriations bill on the floor today where we are trying to cut out real waste and abuse. We would not allow an amendment on the floor today where we are building a new gym, but what we will do is we will stop printing the CONGRESSIONAL RECORD and stop Members from having debate time.

I think it is just absolutely unbelievable.

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. SANTORUM].

Mr. SANTORUM. Mr. Speaker, I agree with the gentleman 100 percent. I would say to the gentleman who just spoke previous to you, who voted against allowing amendments to be offered here to cut the legislative appropriations, who voted against that to allow us to bring to the floor amendments to cut the legislative appropriations bill, now stands up and says that we should not have the right, because I was only given during the rule 1 minute, actually, yes, 1 minute to discuss why my opposition to the rule. And what he is saying, "Well, that is all you get. We are going to tell you how much time you get. You get that much and no more. And if you want to come out here and explain in the RECORD why you oppose a certain thing that goes on here, that should not be printed. That should not be recorded because you don't count. You don't count here. I tell you what you can say and when you can say it, but if you want to come up here and have time to explain in the RECORD why you opposed a certain rule because you were only given 1 minute, and in some cases not given any time at all, then that should not count."

Mr. TAYLOR of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Mr. Speaker, in response to the remarks of the gentleman from Pennsylvania [Mr. SANTORUM], obviously the gentleman is new. But if he had spent a little time on the floor, he would understand that when Members go up and speak, even for 1 minute in the beginning, they ask for permission to revise and extend their remarks. My proposal would not affect that at all.

Mr. WALKER. Mr. Speaker, let me say to the gentleman, I do not ask to revise and extend my remarks. I allow my remarks that I make on the floor to stand as they are spoken. I think the revision/extension remarks, if you want to know something, that is an abuse. It is that. It is the ability of Members to change their remarks over what they said.

I think that is an abuse of the CONGRESSIONAL RECORD.

We actually have Members that have taken their remarks and gone 180 degrees different from what they actually spoke on the House floor.

Mr. TAYLOR of Mississippi. Mr. Speaker, we are not in total agreement on that. The gentleman did not see me ask to revise and extend my remarks. I do not do so. The only time was during the Persian Gulf war debate, when I felt like because of the limited amount of time that I was given, I would like to have my whole thoughts included in the RECORD, as did many other Members.

Mr. WALKER. Mr. Speaker, I do not speak in those instances.

Mr. TAYLOR of Mississippi. Once again, to the gentleman from Pennsylvania [Mr. SANTORUM], you would understand that the opportunity is there to have your remarks included in the RECORD during every debate. Unanimous consent time is given for Members just to include their remarks they have not spoken.

AMERICANS MISSING IN ACTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes.

Mr. DORNAN of California. Mr. Speaker, I am going to talk about Americans missing in action from World War II, from the Korean war, from the very hot, bloody and vicious four decades of the cold war, and American prisoners and missing from the Vietnam war.

□ 2220

Mr. HUNTER. Mr. Speaker, will the gentleman yield, before he takes off here with his time?

Mr. DORNAN of California. I yield to the gentleman from California.

Mr. HUNTER. Mr. Speaker, I thank my eloquent friend, the gentleman from California [Mr. DORNAN] for yielding, and I just want to say to him that we appreciate his leadership on the POW-MIA issue, and the fact that he invented, so to speak, the "Missing in Action" bracelet, and also that he is a co-chair of the House task force, the Republican Task Force on Prisoners of War and Missing in Action.

I want to thank the gentleman for his many, many years of efforts in this area, and for all of the efforts he is going to undertake in the near future.

Mr. DORNAN of California. Mr. Speaker, I thank the gentleman for his kind remarks in my opening here.

I just want to say something about my friend, the gentleman from Mississippi [Mr. TAYLOR]. He just left the floor. I hope he is still in the cloakroom, by way of prologue about what I am going to say.

I am going to talk a little bit about the Doolittle Raiders. We passed the 50th anniversary on April 18 with maybe only 2 minutes' reference in this Chamber, because of the bizarre circumstances and rules we operate under now; the Bataan death march, the 50th anniversary was April 9, just a brief mention on this floor; Corregidor fell 50 years ago May 5, a brief mention on this floor; the Battle of Coral Sea, the 4th through the 8th of May, bracketing the fall of Corregidor.

We were winning something, at least a stalemate in the Coral Sea, stopping the Japanese from actually taking one of the world's largest islands, New Guinea. Then this month, on June 4, actually the 3d through the 7th, was the Battle of Midway, the greatest naval engagement in the history of mankind, turned the whole war. I have only been able to briefly mention it 2 minutes here during this month in 1-minute. In other words, I have waited 4 months for this precious opportunity to talk about our prisoners of war and to mention some of these heroes from past conflicts.

Again, I say, the gentleman from Mississippi [Mr. TAYLOR] is a friend. He is a conservative Democrat. We need all of those we can get. But in a chance to rip off a little glory around here as a conservative, to save a few dollars, he has picked the wrong cause to attack, the special orders.

Unfortunately, I truly believe if he were in the minority, and he is a minority in the majority, if he were in the Republican minority on this floor he would never try to steal from ourselves this precious few moments at the end of the day that we have to communicate with the American public. Is it rule XVIII that we are not supposed to read anything on the floor of this Chamber without unanimous consent? We allow that rule to be abused pretty regularly in our 1-minute at the beginning of the day.

It confounds me that people cannot get up at least for half of that 1 minute, for 30 seconds, and get their chin up, look up in the gallery and talk to these six cameras that are also suppressed and controlled around here, where they have to pan an empty Chamber at night, although 1 million, 1 million taxpaying citizens, Mr. Speaker, are watching this Chamber and tracking this fascinating debate that just went on here.

We act, through the rudeness of the Speaker's control of the cameras, as though nobody is listening except a handful of people on the House floor. I hope, I would say to the gentleman from Mississippi [Mr. TAYLOR], and we will have a little chat in either his cloakroom or mine, that the gentleman will reconsider his thrifty but misguided cause to try and take away from a frustrated minority a chance to spend a few moments out here on the floor and talk to our fellow citizens and fellow taxpayers.

I want to discuss ever so briefly, given the heroism and the loss of life involved, our Doolittle Raiders, our courageous men and women; women, lot of Army nurses called "angels" by the men that they ministered to death, and some of them that they took through their imprisonment at Santo Tomas and other camps in Manila, actually got them alive through the war, our angels of Corregidor, our angels of Bataan, and the heroes of the Battle of Midway, including some that were prisoner that we did not even know about that were tragically executed as the country was listening to the euphoria of this great naval victory.

Then I want to close the loop and come back to our lost POW's from U-2 flights, from other reconnaissance flights, like Strategic Command RB-47 Stratojets that were lost around the periphery of the evil empire, which Yeltsin, standing up there in this splendid hall right at that historic spot where Churchill has stood, where the Marquis de Lafayette in another Chamber just near this had stood, where MacArthur has stood, where people from like Roosevelt and Eisenhower and Ronald Reagan have given the stirring State of the Union addresses, at that historic spot Mr. Yeltsin, the first elected person in the Soviet Union, as he put it, in a thousand years, and that is putting something in very special historical context, he used the word "evil" in reference to the system in which he was born and has lived all of his life up until his election. He also called it an "empire" several times.

Now the people that used to object to those two words on the other side of the aisle, they have to hear it from the first elected President of the newly constituted, reconstituted nation of Russia.

I just talked to my brother, Don, on the phone. He said the L.A. Times says

there is compelling evidence on this POW situation in the Soviet Union. Maybe we will never know. That is why I want to start out talking about World War II and some instances of heroes' death with no medals awarded, no commander alive, no NCO, no sergeant, no chief petty officer, no commander, no captain able to write home to the families with stirring words inspired by brothers under arms, watching a young man die and writing to the parents to say the debt of eternal gratitude that the country will owe to them; men who die alone, shriveled up in a prenatal position, their heroism known only to God and to their family members who preceded them to their eternal reward.

First, the Bataan death march on Corregidor. I have just finished reading a book simply called "Bataan" which ends with the story of the death march. Fifty years later in this modern age, even as we look at the ghastly shelling and destruction of the Bosnian city of Sarajevo, it is hard to conceive of people bayonetting helpless, skinny prisoners suffering malnutrition on one-quarter rations for the last 2 months of the defense of the Bataan Peninsula, to think of their captors bayonetting them to death because they held a man's head up as he drank stagnant water by the side of that road from Bataan up the peninsula to Camp O'Donnell, or Camp Cabanatuan, to leave people who are wounded in the middle of the road and watch trucks run over them, and if somebody moves out to help the prisoner off the road, he is bayoneted to death.

The Bataan death march is something I wish we would teach in our schools. It is only 50 years ago last April. President Ronald Reagan said in his stirring last words on national television that his greatest fear for our country is that we were betraying our young people by forgetting the history of our country, forgetting the men and women who, for three centuries before our independence was declared, two centuries and 16 years since as of this month, next month, the men and women who gave their lives on the frontiers and in combat all over the world for liberty, for ourselves and for other countries, that we are forgetting this history.

After "Bataan" I picked up this book, "Corregidor, the End of the Line." What a testimony of heroic strength. The gentleman from California, Mr. DUNCAN HUNTER, is still on the floor, my friend, the Member from San Diego. He just read a few passages from this sitting up there, and said, "The middle class of this country is absolutely unbelievable. They served so willingly and so selflessly."

The prisoners taken at the time and on "The Rock," the small tadpole-shaped island of Corregidor, hundreds of them died on what they called hell ships where they were being taken to

Yokahama to be shipped off to slave labor in Japan and in the mines of Manchuria and China, coal mines, living days below the ground, dying of all sorts of diseases associated with malnutrition and with freezing temperatures, day after day, in ragged clothes. The very uniforms they were captured in years before were still the only shreds of cloth on their bodies.

The differences here with Corregidor and Bataan is that we won the Second World War. My own term is "We walked the battlefields, looking for the MIA's." We had our unknown soldiers, very few of them, but we were able to account for most of the people and the thousands that ended up blown to bits, atomized, by artillery fire or plane crashes or lost at sea or in the jungle. We still find planes in the high mountain jungles of New Guinea, and bring their remains back to the central investigative lab in Hawaii and identify some of them after half a century.

Most of the MIA's we were able to reconcile because we won the war. Out of that victory came, in the Japanese and German archives, some stunning, heartrending stories of men who were tortured to death and we never knew it until after the war was over; prisoners, brutally murdered in cold blood.

But there was an exception: Our allies, the Russians, under Stalin, did not give us a full accounting of men in camps, German camps, that the Russians had liberated. They liberated in round figures about 25,000 American men, and by their own admission, out of the mouths of their new President, Mr. Yeltsin, they only returned about 24,500. Who were these 500 American citizens held behind?

□ 2210

Well, they were the people with names, to use names of people I have served with, like Zablocki or Derwinski. Members that I have served with in this House. Ed Derwinski is Ukrainian descent. He is our great Secretary of Veterans Affairs, and a man with a name like Ed Derwinski would have been held back. Anybody with a Russian, or Ukrainian surname, or a German surname, they would be held back. They were in that 500.

What happened to them there in what that great combat Russian captain, Solzhenitsyn, this brilliant reclusive writer in the title of the book that first made him known to the West, gulag, Russian word for prison camp, archipelago, Solzhenitsyn's gripping words to compare these camps in Siberia to little islands in the Pacific, they were islands unreachable, through the tundra, frozen soil, impenetrable forests that go on for hundreds and hundreds of miles, the gulag camps were like lost islands. But a prisoner on an island might catch the attention of a passing freighter. But how do you escape from a gulag camp in the middle

of Siberia? All totalitarian governments, Hanoi, Pyongyang, North Korea, the Nazis, the Gestapo, the SS, the GRU, Russian army intelligence service, the KGB, or before it the NVD or NKVD, or the dreaded Cheka run by the Polish killer, Derginski. All of these people, these killers, they keep efficient records.

It is amazing. Look at under Saddam Hussein, his killers trying to genocide the Kurdish people. Now they add the gruesome ingredient of videotape, videotape of the torture and the assassination, the drugging and then the torture of the Kurdish leaders, and the mass graves, the dumping of them in graves. We have now gotten all of the tons, literally, physically tons of paperwork of Saddam Hussein's evil work that is now in the archives in this city being slowly researched to compile the death toll of the Kurdish people. It may be over 100,000, 200,000, maybe more, a quarter of a million of them killed just in the last decade.

So there are records in the Soviet Union, somewhere, that we can get access to, we hope, if Mr. Yeltsin keeps his word, although he does not have control obviously over the man that I sat across the table from at one of the KGB's three headquarters in Moscow last February, Yegueniy Primakov, the head of the now split KGB. He is head of the foreign service, the spying operation. It is fully manned and operating out there. I do not know where they get the payroll money, but they are still spying on countries all around the world. And Mr. Primakov kind of dismissed in a discursive and rude way, and he said,

You tell me who your agents were placed high in the KGB, and I'll tell you who we placed on Capitol Hill on your staff, and I'll tell you about the Rosenbergs, and about Alger Hiss, and about prisoners from World War II, and prisoners maybe from Vietnam and Korea.

Well, he is back in the papers now. Four months later he is in the papers today saying, "Hey, we've looked and we can't find anything." No, no, that is a lying statement. They have not looked thoroughly. The records are there and they can find them on whether or not we are ever going to know where the unnamed graves are of these 500 Americans from World War II.

Now before I come to the cold war and to Korea and Vietnam, let me tell you why I believe this is what DUKE CUNNINGHAM, our fellow California Congressman from San Diego has said it was. He said it is a matter of the heart, not just the brain, the intellectual curiosity to tie up the loose ends and see if you can identify what happened to heroes serving our country as civilians, agents in the CIA, or as men and women in uniform. In this case it is mostly all men. It is a matter of the heart.

SAM JOHNSON, who spent almost 7 years in captivity in North Vietnam,

because he was a natural leader, and had flown with the Air Force Thunderbirds, and he was a squadron leader, and he resisted. He was the leader of the resistance, and they tortured these men, they would break them, and then as soon as they regained their health and got their spirit back, they would take command again, tapping up one another with their special, simple squared-off code, leaving out the letter "K," using "C" for both the "K" and the "C" sound. They would tap people up on that little 5-by-5 chart until they got so fast that they were faster than Morse code. They would say, "It's SAM JOHNSON. He's got his health back. He's back on line. He's commander again."

Then they would find out about it and torture him again, and finally because he was called, with 11 others, hardheaded, actually 7 leaders and 4 who had tried escape attempts, although nobody was out for more than a day on their own, they put these 11, 9 senior commanders and Coaker, and McKnight, Navy officer and Air Force officer who had escaped overnight, they put them in a little prison called Alcatraz. And there were 11 of them. Robbie Riser was supposed to go there, my former squadron commander. He was so ill an sick from the horrendous torture that they just left him to rot in the cell, or he would have been in there too. Jeremiah Denton who served for 6 years in the U.S. Senate, the Senator from Alabama, and Jim Stockdale was in there, selected by Ross Perot to be his temporary Vice-Presidential running mate. I do not know why anybody would suggest that James Bond Stockdale was anything but a permanent wing man in any operation. But these heroes were there in Alcatraz, SAM JOHNSON, I remember from Texas, among them.

I asked him today in a press conference as we kicked off this yet new task force, four of us, and DUNCAN HUNTER still on the House floor, myself, SAM JOHNSON, highly decorated as I said, not just a POW hero but a combat air leader, and DUKE CUNNINGHAM, the first ace in the Vietnam War, one of only two, and he made it a few months before the Air Force's Steve Ritchie. And DUKE CUNNINGHAM and SAM AND DUNCAN and I stood there, and I just brought up because he is such a humble man, and he reminds me of the kind of men that fought at the Alamo, and I pointed out and I said, Correct me if I am wrong, SAM, but wasn't one of the prisoners, Ron Stoltz, the young air Force captain in the film, "Hanoi Hilton," the character that is so hard-headed that they put in the single, solitary cell by the pig sty, that character was drawn after Ron Stoltz, and he was one of these fellows with the natural sense of humor that we wish was in every unit, who keeps the morale up, who never stops the practical jokes against the enemy captors, and finally

his health started to go downhill. Then finally after 4 years of solitary confinement, most of these men in this self-name camp, Alcatraz, away from the main prison, like the Plantation, or Hanoi Hilton, as the 10 were being put back after the San Te raid into the regular prison population, Ron Stoltz was left behind and eventually died. His remains have come back and I think he is buried at Arlington, and as he and the other prisoners were about to leave he knew that he was going to be held back, probably to his death. And he took the broom that he would sweep up the yard with occasionally, and he tapped out with their own tap code, he tapped out, "Tell my wife I love her. Say goodbye to everybody." And then the most common expression used, just three letters, "G" for God, "B" for bless, and the letter "U" for you, "God bless you," and he tapped that out at each cell door, the other 10 cells, and he was never seen again by his compatriots from Alcatraz.

There are other men that died under circumstances like Ron Stoltz whose remains we have not gotten back from Vietnam, and there are careful Gestapo, Nazi, KGB Communist records kept in Hanoi that they still hold back from us to solve the fate of all of these men, men like Earl Coble who was beaten so severely by these three Cubans sent to teach the Vietnamese how to torture. Airman Coble was beaten actually insensate, into a catatonic state, and was taken away and died somewhere alone, shriveled up in that prenatal position where you go into when you are all alone, and you think your country and your friends have forsaken you, and you are going in and out of delirium. His remains were returned at some point during this agonizing 20 years this coming January that they slowly, the Communist government in Hanoi have given us these remains, slowly to keep the family members on what SAM JOHNSON today called a roller coaster ride. It is a fairly good metaphor. If you picture a roller coaster with only that first ride, the one where your nerves are built up with the click, click, click, and then you take the biggest dive of all, and imagine a roller coaster with nothing but that first ride, 100 of them over the last decade and a half, up and down, the family members up and down, their stomach being wrenched up and down, on again, off again.

□ 2220

When Mr. Yeltsin came here and announced that there may yet be live Americans somewhere in that Gulag prison camp system, I saw one, and I do not know whether she was a wife or a mother, probably a wife, because all of us have matured into middle age who were young when the Vietnam war started in earnest in 1963, and she said, "What did I think when I heard this?"

She said just one thing, and she burst into tears as she said, "Oh, no, not again." That means over the top and down the gut-wrenching drop in the roller coaster ride that our Government has done, I do not think, a complete job to relieve this suffering of the family members.

So let me go back to from Corregidor, a few weeks before Corregidor fell on May 6, 16 Army Air Corps light bombers, B-25's named after the incomparable Billy Mitchell. They were loaded onto the deck of the *Hornet* which was to serve successfully in the Battle of Midway just 2 months later, less than 2 months later, and the *Hornet* sailed with its sister carrier the *Enterprise* out into the rough winter waters of the North Pacific and launched the 16 B-25's with precisely 5 men on each airplane, 80 heroes, led by a young lieutenant colonel who was nationally famous for civilian flying as well as military flying, the first man to fly on instruments in weather, first man to do an outside loop. I have still yet to do one of those.

An incredible man, just alive now at 95 years of age, still spry, retired in Carmel, CA, and just a true living legend. For all I know, he is listening tonight. I hope so. He does follow the Congress and has given money humbling a lot of us, some of us who have run for office.

Jimmy Doolittle was No. 1 airplane off.

Two months ago on the reenactment of these B-25's leaving a carrier on the U.S.S. *Ranger* out of San Diego, I got to meet the pilot of the new No. 2 airplane, and I cannot believe how young and vigorous this gentleman looks, Travis Hoover. Travis Hoover took off in the No. 2 airplane. The No. 7 went off, and I met the navigator; the Ruptured Duck, piloted by Ted Lawson, who was portrayed poignantly by Van Johnson in the movie that made Van Johnson a star, "Thirty Seconds Over Tokyo." Somebody hit the flap switch, and their flaps were up, and they are supposed to be down to give them lift, and they were the plane that we see on the blurred newsreel films to this day that dipped off the end of the carrier that everybody thought was going into the dark North Pacific Ocean, and it climbed out, and that was No. 7, the Ruptured Duck.

Then there were two other planes that took off that afternoon. It took 2 hours to get them all airborne, with kind of romantic World War II names. There was the "Bat out of Hell." They were the last airplane off, No. 16. And there was the "Green Hornet."

These two crews were the unluckiest out of all 16 crews in the 80 men that hit about eight targets in Imperial Japan and even bombed central Tokyo near the Emperor Hirohito's palace, and to put the young Emperor in jeopardy just disgraced the whole military

and changed all the war plans of that country, and made them decide that they would have to provoke the United States fleet within a few weeks and attack us at Midway, so the Doolittle raid was really the beginning of the Miracle at Midway.

Back to these two crews, to tie it into my prisoner-of-war theme tonight. I read from an article from one of these magazines, the style of historical journals that have been published for the last 10 years in America, all copying the great American Heritage hardcover that has been around all of my adult life. This one is American History, beautifully written articles.

Here is the one, and the cover story is from the March-April issue of the Doolittle raid. The story is called "Against All Odds."

I pick it up at the point of the "Bat out of Hell." Fortune turned its back on the crew of plane No. 16, "Bat out of Hell." After flying for over 13 hours, approaching the coast of China now, 200 miles into China, pilot William Farrow ordered his men to jump, put the plane on autopilot, and all came down in Japanese-held territory.

By the morning, the five flyers, Farrow, his copilot Robert Hite, navigator George Barr, bombardier Jacob DeShazer, and engineer-gunner, and each plane there was only one enlisted man, the engineer for the aircraft, the crew chief, and he also functioned usually as the tail gunner, Sgt. Harold Spatz. They were all prisoners.

Four of the B-25's, out of the 16, made forced landings in the water or attempting to land on the beach like the "Ruptured Duck" along the China coast. For example, Travis Hoover, who I met on the deck of the *Ranger* this last April, his bomber ran out of fuel near Japanese-held territory. His flight engineer-gunner, Douglas Radney, suggested over the intercom that, "We ought to stick together." So instead of ordering his crew to bail out, Travis Hoover belly-landed the B-25 on a hillside rice paddy. The crew members emerged unhurt, and after Hoover set fire to the bomber to destroy anything of use to the Japanese, they scrambled toward the west up into the hills.

Now comes the other unlucky plane, the "Green Hornet," piloted by Dean Hallmark. It sputtered. Its two engines failed 4 minutes short of the Chinese coast. Lieutenant Hallmark brought the plane down and ditched in the stormy sea. He did not want his men bailing out at night into the dark waters.

The impact tore off one wing, and the plane cartwheeled. Hallmark smashed completely through the windshield. After 4 hours in high waves, Hallmark, his copilot, Robert Meader, and navigator, Chase Nielsen, made it to the shore, cut, bleeding, and utterly exhausted. Two of their men had died, killed in action, bombardier, William

Dieter, killed after action, and flight engineer-gunner, Donald FitzMorris. They had been seriously injured in the crash, lost their strength and drowned. Their bodies later washed ashore.

Local Chinese fishermen tried to hide the survivors. Three days later the Japanese soldiers captured all three of the living men, and their ordeal was just beginning. These were the only eight that the Japanese were to capture, the whole crew of the "Bat out of Hell" and the pilot, navigator, and the bombardier, not the bombardier, the copilot of the "Green Hornet."

Now, here is something that I had not known, and I thought I knew the full story of the Doolittle raid. The Japanese killed maybe as many as 10,000 Chinese in retribution for this raid, because Chinese had helped these men, as is shown in that classic film "Thirty Seconds over Tokyo." They leveled whole villages.

They would wrap fathers in blankets soaked in kerosene and make the wife set fire to the father of the family, making the children and the wife watch.

One hundred thousand Japanese troops descended on this area, shot, bayoneted, raped, drowned, and beheaded Chinese civilians and soldiers in numbers estimated in the tens of thousands. It was their way of warning the Chinese against helping American flyers in the future.

Now, here is what happened in the epilogue to the Tokyo raid. It was bitter. The Japanese held these eight men, and they would make them pay man by man. They moved the survivors of the "Green Hornet" and the "Bat out of Hell" to Tokyo; there, handcuffed and legcuffed, the flyers were placed in the hands of the Kempei Tai, the Japanese Army's military police who knew how to make a man wonder whether his life was worth living.

The interrogators beat the prisoners. They shouted the same questions at them over and over, "Where did you come from? Are you army soldiers? Why were you in China?" All this time they knew that they were Doolittle Raiders.

One of them, a survivor who is still alive today, navigator Chase Nielsen, said, "All I would tell them was, 'Lieutenant Chase J. Nielsen, 0419938.' They would smash me in the face again." He turns out to be the only survivor of the "Green Hornet."

The Japanese interrogators stretched Hallmark on a rack. They put bamboo poles behind copilot Hite's knees, and they forced him to squat, and they would jump up and down on his thighs in front. They suspended Nielsen by handcuffs from a peg on the wall, so that his toes were just off the floor. They bound wet towels over the mouths and noses of the eight flyers. These are prisoners of war, unknown to us in America at this point.

□ 2230

They nearly suffocated. They placed pencils between their fingers and crushed their fingers together. The soldiers stretched the men out on the floor, forced them to swallow water until they drowned and then they would jump on their stomachs, as many as five guards worked over each prisoner at a time.

The torture continued for more than 3 weeks. Resisting, the fliers told their interrogators that their planes had come from the Pacific Island, from China, from the Aleutians.

I was blindfolded, recalled DeShazer. I think he is still with us. They hit me. They asked me, how do you pronounce the letters *Hornet*? Who was Doolittle? How long is the deck of an aircraft carrier? And they beat me again.

Then one day the soldiers brought in the maps and charts obtained from the wreckage of the B-25. They had tortured the men in order to corroborate what they had known all along, that the B-25's had taken off from the U.S.S. *Hornet*.

Then they lived in miserable solitary confinement. Then some of them were put together and now it is August 28. The Americans are taken into a small courtroom where they underwent a mock trial. The 50th anniversary of this is coming up this August. A mock trial before Japanese officers. Pilot Hallmark lay on a stretcher. Barr was too weak to stand. The trial lasted 20 minutes. The judge read the verdict. The prisoners asked what their sentences were. The interpreter would not tell them. Unknown to the fliers, all had been condemned to death.

On October 14, Lieutenant Hallmark, Lieutenant Farrow and Sergeant Spatz were taken into a room one by one and they were told they would be executed the next day. The officers said they could write letters to their families.

What they did was execute the pilot of each airplane, and out of the eight, everyone was an officer except for Harold Spatz, the only enlisted man—why they did this, no one knows, but they executed the two officers and the one single enlisted man they had.

Twenty-three-year-old pilot Bill Farrow wrote in part to his mother in Darlington, SC:

Mom, just remember that God will make everything right and that I will see you again in the hereafter.

To his father and mother in Robert Lee, TX, Dean Hallmark said:

Try to stand up under this and pray. I don't know how to end this letter except by sending you all of my love.

Twenty-one-year-old Harold Spatz, Sergeant Spatz, wrote to his father in Lebo, KS. When I showed this to DUNCAN HUNTER here, this was the point where he looked up at me and said, "The middle class of our country is amazing."

That does not mean there were not some heroic young men born into privi-

lege who understood the Latin expression "Noblesse Oblige" and that went to privileged schools. Some went to West Point and Annapolis and also went into battle leading some of these incredible middle-class kids that fight most of our wars and fill most of the combat slots.

Harold Spatz wrote:

Dad, I want you to know I died fighting like a soldier. My clothes are all I have of any value. I give them to you, and Dad, I want you to know I love you. May God bless you.

The letters were not sent. After the war they were found in Japanese military files. The prison officials had just never sent them.

God is merciful that the parents did know their sons' last words.

On October 15, 1942, a black limousine entered the First Cemetery, that is its name, the First Cemetery grounds outside of Shanghai. Lieutenant Farrow, Lieutenant Hallmark, and Sergeant Spatz—if I were on a television show I would ask the camera to zoom in on this. Here is a picture of Sergeant Spatz after months of torture. His eyes are just too big black circles. He is still wearing his original uniform that he put on clean on the aircraft carrier that April morning the day before the raid. He is wearing his now very popular A-2 leather flight jacket. Amazing.

Here is a shot of the whole crew of the *Bat Out of Hell*. Sergeant Spatz does not look too bad here. Next to him is his pilot, two of those five to be executed.

October 15, they are taken into this cemetery. Prison guards marched the men to three small wooden crosses situated 20 feet apart. These were not Christian crosses to mark graves, although the men probably thought that. They were to be a rack to tie them to. The three Americans were made to kneel with their backs against the crosses. The guards removed their handcuffs, tied the prisoners' wrists backward to the crosspieces. They wrapped the upper portions of the men's faces with a white cloth, marking black x's just above their noses. A six-man firing squad took positions 20 feet in front of the Americans. At the count, they pulled the triggers. There was no need to fire a second time. Only two riflemen per prisoner, not very merciful.

The next day the other five Americans were led into a courtroom. The presiding officer read a long statement that they had been found guilty of bombing schools, hospitals. They tortured them until they got confessions of machine gunning civilians; but the Emperor had commuted their death sentences to life in prison.

Now, what happened to the remaining five prisoners? This was only known because four survived.

The prisoners drifted many nights into dreamlike states. They invented

mind games, just like our prisoners in Hanoi.

Nielsen built a house in his mind brick by brick. This is what many of the prisoners did in the Hanoi prison system.

DeShazer wrote poems on an imaginary blackboard, racked by dysentery.

The copilot of *Bat Out of Hell* grew weaker. Then he contracted beri-beri. Excuse me. I want to get these actual details correct.

Meder is the copilot of the Green Hornet plane.

He grows weaker and weaker, gets beri-beri.

In a rare exercise period, Meder asked his navigator, Chase Nielsen, to pray for him.

On December 1, 1943, four of the five prisoners heard hammering. They were building a coffin. The next day at the same time they were escorted into Meder's cell. His body lay in a wooden coffin and a Bible the captors had mercifully given the men to trade with one another was on its lid.

Amid the encircling gloom of their cells, the men tried to find inner light.

Hite asked the chief guard for a Bible. Each of us, he recalls, read through the King James version for Lt. Bob Meder. It was passed from one cell to another from then on and it kept our spirits alive.

The thing that is sad about this is that the other four prisoners who died, we might not ever have known these stories. How many stories like this unfolded in the Gulag camps of the Soviet Union with prisoners from the Korean war?

Here is a list that I got from Senator BOB SMITH yesterday. This is a list that was given to the Senate Select Committee on Prisoners and held secret all these months while we ran it through every possible check. It was a list of 536 names which were described by the Russians as United States prisoners from the Korean war who were interrogated by the Soviets, some of whom were then sent to the not-too-tender mercies of the Chinese prison system, many of them never to be heard of again.

The reason these names were not released in February is that Senator KERRY, Democrat of Massachusetts, co-chairman with BOB SMITH, the vice chairman, BOB SMITH of New Hampshire, they ran it through several steps.

One, they ran it against the American Battle Monuments Commission which has listed from the Korean war 8,182 missing men.

Then step 2. They gave it to the Archives of the United States and ran it against all the names of prisoners and missing from the Korean war in our U.S. Archives.

Then they compared the list from step one and two, and then step three they went to the Defense Department and they checked it against all the

MIA, KIA, remains not recovered, captured, died of wounds, or injuries while in captivity, remains not recovered. A lot of that is by assumption.

According to the list from Russia, all these individuals actually survived their incidents and survived in captivity to be interrogated. Some of them were returned from captivity. That is step four that is going on as I speak here where we are going to try to find American POW's from the Korean war who got home, who are alive now, retiring or working throughout our country to say, do you recall being interrogated by the Russians? Were you flown for hours? Did you go to a Russian location? Did you go to Vladivostok, or somewhere beyond Manchuria on the Russia border?

The names that were survived every list are fascinating. Sgt. James H. Duncan, Army 1st Lt. Crenshaw H. Holt, Army Priv. Ralph E. King, U.S. Air Force S. Sgt. Clifford H. Mast, Mitchell C. Thomas, another Army Second Lieutenant. These names survived every check and cross-check and we are trying to find out from the Defense Department now what they think happened to these men. Just take Sergeant Duncan. He may have successfully bailed out and then been captured. His wife and children resided in Miami, FL, as of 1961. That is 31 years ago.

□ 2240

The 5-year-old child would now be 36. If you are watching the proceedings of the House floor tonight, we would like to hear from you.

Here again to emphasize this most ghastly of all military fates, to die as a prisoner like my closest friend in the Air Force, Dave Herlocker. In fact, he is dead. He was a prisoner in Laos for 5 years. Here is the date he went down on my bracelet, May 18, 1965, first F-105 Thunderchief pilot to get hit in Laos or North Vietnam. A known prisoner into 1970. What happened to Dave? What happened to the recon pilot, father of 5 children, Charlie Shelton? Charlie was shot down just 20 days before Dave in an unarmed reconnaissance aircraft. Charlie Shelton was kept in a cave with Dave at several points, and reportedly Charlie escaped twice and was shot both times, survived those wounds. Charlie's wife, a dear friend of mine and Marianne's, worked this issue for 25 years and then shot herself a year ago, October 4. She gave up the ghost, tried to rejoin Charlie, I guess.

What happened to Charlie Shelton? He is still carried as a colonel, a POW. The one POW who is on the books.

She got a full colonel's pay every month. So obviously she was not needing for money. She was a lost loyal wife of a quarter-century, trying to find the guy she had dedicated her life to.

Now his colonel's pay goes back, the children do not get that, but the chil-

dren have not given up hope. One of them is a Catholic Franciscan priest, who was a tiny little boy when his dad went down.

Here is what I learned reading, again, American History magazine. This time it is the July/August issue. It is an incredible story at Midway. I knew about the story about Ens. George Gay, the sole survivor of Commander Walgren's torpedo squadron No. 8 off the *Hornet*, that same *Hornet*. These same men who watched in awe as the B-25's took off to attack Tokyo. The entire torpedo squadron was on the deck along with the Dauntless scout bomber pilots and the F-4 Wildcats. They did not know that they themselves had less than a few weeks to live because the entire squadron except for George Gay, Ensign Gay, was wiped out. Gay was the only man who made it through the Zero fighter cover for the four Japanese carriers, the only man who made it through the flack batteries on the sides of the carriers, he actually overflew the *Ekagi*, I think, and got his torpedo off. But our weapons were not the best in those days. Our torpedoes were failing. All over the Pacific our torpedoes would be shot off by our submarines, get direct hits and not explode. So his torpedo did not get a hit. Ensign Gay stayed in the middle of the fire this whole battle. He described the burning Japanese carriers as a living hell, blow torches, flaming blow torches. When he was taken back to Midway to the hospital, Admiral Nimitz flew up from Hawaii, himself, to visit Gay. Gay kept telling Admiral Nimitz he was so shocked as this then-4-star admiral, eventually 5-star admiral, would come to visit him in the hospital.

He said, "I kept telling him, 'Admiral, you can forget about those three carriers. I saw them sink with my own eyes.'" He did not realize that the *Hiryu* was also sunk a few days later, the afternoon of June 4, 1942. Here are his exact words as the carriers nearest to him blazed red hot with flames and burned like a blow torch.

Well, I knew that George Gay story. That was in comic books and newspapers. He went on a war bond tour and went back into combat missions, as did George Bush, who went back after his second bailout and ditching and flew 10 more combat missions, to come up to 58. These were remarkable men who would keep going back into combat. I knew all about that story, but I did not know there was another sole survivor that we know of from the *Yorktown*'s torpedo planes. They lost 10 of 12, and the torpedo squadron No. 8 from the *Hornet* lost 15 of the 15. The VT-3 from the *Yorktown* lost 10 of 12. One of them that went in, a young pilot, Ens. Wesley Osmus, his back seater was killed by a Japanese Zero, his radioman/gunner, Benjamin Dotson, Jr., of North Carolina, simple family from the heartland of America. Ensign Osmus was

from Chicago. He had been assigned to torpedo squadron 3 just before the ship sortied out from Pearl Harbor on May 30. He ends up trying to get away from the carrier action, he goes into the water. He is swimming around in the ocean and a historic Japanese ship, a destroyer, the *Arashi*, the *Arashi* was the destroyer that one of the great heroes of the Battle of Midway, one of the Dauntless dive bomber squadron pilots, Wade McCloskey, picked up by the *Arashi* within minutes of its plucking Osmus out of the ocean. He picks up the *Arashi*, which then full speed ahead sails to the north to try to rejoin the Japanese fleet. And it is by following the *Arashi* from the scene of the failed, tragically poignant failed torpedo bomber 3 squadron was decimated. Thirty-five airplanes shot down out of the 41 from the *Yorktown*, *Enterprise*, and *Hornet*. He follows the *Arashi* with Ensign Osmus on board, and it leads him right to the carriers. Then our dive bomber pilots begin to go in and destroy the four major carriers that had attacked Pearl Harbor. The other two that had attacked Pearl Harbor, the smaller ones, were up in the Aleutians and we got them later that same year. But these were the four major carriers, the *Akagi*, the *Kaga*, the *Soryu*, and then the *Hiryu* later that evening after its planes had crippled and mortally wounded the *Yorktown*, which went down 3 days later, on June 7.

So here is Osmus on board the *Arashi*. What happens to him? He is a prisoner in the midst of a pitched battle. Ensign Osmus was obviously under great duress. As the *Arashi* closed with the main force where the three carriers were now engulfed in flames from the torpedo bomber attacks, the flier may have concluded that the Japanese were no longer in a position to retaliate against the U.S. fleet. The magazine assumes that he decided to cooperate because in the Japanese records after the war, here was Ensign Osmus giving away information. I have to assume that he was tortured.

After several hours' confinement in a cabin aboard the *Arashi*, the young pilot was taken in the early evening to the stern of the ship where a senior petty officer named Kohachi Kondo, tries to execute him with a fire ax. Badly wounded, in mortal pain, clinging to the ship's railing, probably with Kondo standing there watching him suffer, as the blood drains out of his body and he loses his strength, he slips from the railing and falls into the ocean, which sealed his fate, probably, except for some men who drowned at sea, was the last American to die in the Battle of Midway.

We lost some on the explosions on the *Yorktown* over the next 2 days, the men trying to get it back underway.

But let us say the last aircrew certainly to die except for two others that

meet an even more horrendous fate. Although the high-flying dive bombers that followed the torpedo planes into action against the carriers did not encounter resistance from Zeros as they began their attacks, all the Japanese carrier firepower had been pulled down to the naval battle below. So it gave the Dauntless dive bombers an unimpeded attack on the carriers. The *Enterprise*, were the first dive bombers to roll in, 33 of them, they began successful bombing runs. But they lost 18 aircraft. I had not known this until I read this article.

I did not know that the Dauntless lost so many. Eighteen out of 33.

One of the dive bombers lost in the action, after he hit his target, was Ens. Frank O'Flaherty. His crewman, Bruno Gaido, Bruno Peter Gaido, had been a squadron mechanic who distinguished himself during the early action in the Marshall Islands and had been promoted to aviation machinists mate 1st class for his courage. Young Lieutenant O'Flaherty—excuse me, I keep promoting these guys, and they are all ensigns in their first year of flying duty. Ensign O'Flaherty managed to place some distance between his plane and the Japanese fleet before being forced to land in the sea.

□ 2250

Although both he and Gaido sustained head wounds in the ditching, possibly when they hit the water they managed to inflate their life raft and climb into it. Unfortunately the two air crewmen had landed in the path of the retreating Japanese strike force, now heading home with their tail between their legs having lost one cruiser and all four of their carriers. It was late in the afternoon, so it is still June 4, and one of the Japanese cruisers, lookout, on the *Nagara*, spotted the men in their life raft. They should have done what George Gay did, let his life raft go, hide in the water under a piece of black oil cloth that he shaped into a V to look like wreckage, and he would peep through it at the burning carriers so he was lucky enough. Thirty hours in the water, to be picked up by a PBY, a patrol bomber, the next day, but these men were pretty observable in their yellow life rafts, so the Japanese heaved to drag them on board. The commander of the destroyer that picked him up, the *Makigumo*, *M-a-k-i-g-u-m-o*, their officers on board the ship were directed, and they found this in the Japanese files, to interrogate the prisoners to ascertain the enemy's situation and then dispose of them suitably, an ominous command. The ill-fated airmen were treated by a Japanese doctor, Itohiro Pakano, and then questioned by Lieutenant Katsumata. He died later in the war. Finance officer spoke English.

During this period the *Makigumo* futilely attempted, along with other

ships in the force, to defend the fleet's remaining, carrier *Hiryu*. Now imagine this, three Japanese carriers had turned into floating blow torches exploding all of their planes caught on the deck with their full load, switching from torpedoes, to high explosives, to go back and make a second wave attack, which they never did, on the installations in Midway, and this young, dauntless pilot and his backseat gunner, they helped to blow up the three carriers, and now they are on board a destroyer, trying to defend with its guns the successful United States Navy attack by the *Yorktown* pilots on the last Japanese carrier, the *Hiryu*. The destroyer's executive officer, Lieutenant Takashi Moroshi, later joined in the interrogation, that is, torture, during which Katsumata menaced the Americans with his sheath knife so the Japanese, unlike the Germans, never bragged about torture, but, when they say they are menacing with a sheath knife, believe me, that is just the beginning. Although neither flyer had ever been to Midway Island, their captors succeeded in obtaining considerable intelligence from them regarding the strength and disposition of Marine, Naval and Air Forces on the strategic island, and this magazine, I am sorry to say, speculates that the exact motivation for the two U.S. aviators to yield this information to their captors remains unknown.

No, it does not. They were tortured. Young Naval officers, after just having blown up aircraft carriers, knowing that they won the battle, they are not going to cop out without undergoing serious torture, as in the case of Ensign Osmus. The American captors may have thought that providing apparently useless information, considering the destruction of the carriers that they witnessed, would save their lives. Sadly this did not happen. A *Makigumo* officer on the destroyer testified after the war that Commander Fujita, the destroyer's commanding officer, told his fellow officers, "I don't want to shoot them or kill them with a sword. We got them from the sea. Let's throw them back into it."

Four to six days had passed, so it may be now June 10. By this time the entire 48 United States; only had Continental 48 then, are celebrating this incredible Navy victory that from that moment turned the entire war in the Pacific, even though the landings at Guadalcanal were months away. That was August 7, the landing November 20 of the—43 was a year and a half away on the island of Tarawa, but this was the turning point, greatest naval battle in history.

They took these men, blindfolded them, bound them with ropes, took them up on the deck, tied weighted fuel cans preparatory to throwing them overboard, but contrary to Fujita's wishes, numerous crewmen witnessed,

and I am not Japan-bashing here. This was a nation won by war lords, and their young enlisted men had enough honor that the officers did not want the enlisted men to see this dishonorable treatment of helpless prisoners of war, so they stopped and took them back to their torture cabin, and then, when it was dark, late that night, O'Faherty and Bruno Peter Gaido again were brought on deck, and this time their cold-blooded murder was carried out most likely by petty officers named Kanda, Nakasawa and Sato. I will give all those names to our recorders here.

All these three petty officers were killed during the war. The destroyer *Makigumo* itself sank in 1943 after hitting a mine off Guadalcanal. Yes, Katsumata and Takano also died during the war, but Lieutenant Namba, the *Makigumo*'s engineering officer, testified that Commander Fujita told him he had been reprimanded by his superiors for killing American prisoners of war. That is interesting since the Bataan Death March was going on at this time, or a few weeks before, and they killed thousands.

As in the case of Osmus' death, unfortunately nobody was ever brought to trial for this wanton murder of helpless prisoners. Later in the war the U.S. Navy named destroyers after Osmus and O'Faherty and posthumously awarded both pilots the Navy Cross. Gaido posthumously received the Distinguished Flying Cross. At this point I have to apologize for the Navy that I love because that was a little bit of elitism, the Navy man, the enlisted man, does not get his ship named after him, and he ends up with the DFC and not the Navy Cross. If I had the power, I would have given a posthumous Navy Cross to Bruno Gaido and named a destroyer after him, the next one to come off the shipyards anywhere in this country.

Given the number of downed U.S. planes in the midst of the enemy fleet, other Americans may also have survived long enough to suffer the same fate as Ensigns Osmus and O'Faherty, and Petty Officer/Machinist, Aviation Machinist, Gaido. If so, their final hours are lost to history.

When I read those words: "Their final hours are lost to history" it comes to my mind immediately Vietnam, cold war, Korea, and this POW issue that Mr. Yeltsin has brought so horribly, poignantly back into focus in our country which creates again this hellish, psychological torture roller coaster ride for all the prisoners' families. No, not again.

As my colleagues know, over here in Langley, VA, is the big magnificent headquarters for our Central Intelligence Agency. In the beautiful marble foyer, it is a big open hallway, and up on the wall are the names of all the CIA men that have given what Lincoln

called the full measure of devotion in acquiring intelligence during this very rough cold war, and some of the names up there might be known to my colleagues.

Dick Welsh. He was outed by a Notre Dame graduate. His name mercifully escapes me. The slime is living in Hawaii or Cuba now, but this man who disgraced his Catholic upbringing dumped his faith and went over to the enemy side. He put in a magazine that the CIA station chief in Athens was Richard Welsh. He was blown up, murdered, within the month. That was a publication in this short-lived, traitorous magazine called—I do not know what it was called. That name is up there with a Gold Star, Richard Welsh, but there are some stars up there with no names, just a blank space, and a few months ago I said to our excellent Director of the Central Intelligence Agency, Bob Gates, I said, "Please, Bob, put the men's names up there." I mean every time I have asked over my 15 years of service here they say to me, "Well, we have got ongoing operations in those countries."

I say, "For example, you mean these men were killed in Hungary? We still have operations in Hungary, so 40 years later a compromise to those operations?"

Well, Hungary is a free country now. So with all the East European countries. Maybe if it was a U-2 pilot that went down in China, that name cannot be released.

Director Gates said to me, "OK, Congressman. I'm going to see if we can't start to release these names."

Do my colleagues know that these men all have posthumous, highest decorations, from the Central Intelligence Agency, and there are wives who may be gone to heaven by now or are in their fifties, sixties, seventies. Their moms and dads, if they are alive, are maybe in their seventies, eighties, nineties. The family members, the children now in their early thirties, forties, fifties, do not know the heroic circumstances of the deaths of these great CIA agents that helped to win the cold war.

That is what we mean when we say the cold war, these and the reconnaissance pilots, other people scarfed up around the fringe of the evil empire; did they die alone like these men? Are we going to find KGB records where we can know the final agonizing hours of these men who gave the full measure of devotion and died alone in some stinking gulag cell or maybe in Lubjank Prison itself?

□ 2300

That is why the four of us in this Chamber and the other Commission members like JOHN MILLER, who spoke so beautifully earlier about the process going awry here, and BOB SMITH, and Senator KERREY over in the other

body, that is why we have to see this thing through to its proper conclusion, even, Mr. Speaker, if it means bringing home small boxes of heroes' bones from unmarked graves, identifying them by dental charts from 40 or 50 years ago, and giving these men a hero's internment at Arlington or their hometown cemeteries.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RIDGE (at the request of Mr. MICHEL), for June 23, on account of personal reasons.

Mr. HYDE (at the request of Mr. MICHEL), from 5:30 p.m. today, on account of family medical reasons.

Mr. MCNULTY (at the request of Mr. GEPHARDT), for June 23 and today, on account of important family matters.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. BENTLEY) to revise and extend their remarks and include extraneous material:)

Mr. MICHEL, for 60 minutes each day, on June 29 and 30, and July 1.

Mr. WALKER, for 60 minutes each day, on today and June 25.

Mr. RIGGS, for 60 minutes, on June 25.

Mr. DOOLITTLE, for 60 minutes, today.

Mr. COLEMAN of Missouri, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

Mr. MCDADE, for 60 minutes, on August 3.

Mr. BEREUTER, for 5 minutes, today.

Mr. FRANKS of Connecticut, for 5 minutes, today.

Mr. KYL, for 5 minutes, today.

Mr. BALLENGER, for 5 minutes, today.

Mr. SANTORUM, for 60 minutes, today.

Mr. NUSSLE, for 60 minutes, today.

Mr. HASTERT, for 60 minutes each day, on today and June 25, 26, 29, and 30, and July 1 and 2.

Mr. GOSS, for 60 minutes, on June 30.

Mr. WELDON, for 5 minutes, today.

Mrs. BENTLEY, for 5 minutes, today.

Mrs. BENTLEY, for 60 minutes, on June 29.

(The following Members (at the request of Mr. TAYLOR of Mississippi) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. TAYLOR of Mississippi, for 5 minutes, today.

Mr. HAYES of Illinois, for 5 minutes, today.

Mr. MURTHA, for 60 minutes, on August 3.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mrs. BENTLEY) and to include extraneous matter:)

Mr. LENT.

Mr. LIGHTFOOT.

Mr. KYL.

Mr. DUNCAN.

Mr. MORRISON.

Mr. WELDON.

Mr. ZIMMER in two instances.

Mr. HANCOCK.

Mr. GILMAN.

Mr. COX of California.

(The following Members (at the request of Mr. TAYLOR of Mississippi) and to include extraneous matter:)

Mr. LIPINSKI.

Mr. TRAFICANT in two instances.

Mr. TORRICELLI.

Mr. ORTIZ.

Mr. ACKERMAN.

Mr. WISE.

Mr. LANTOS.

Mr. KANJORSKI.

Mr. WOLPE.

Mr. WILLIAMS.

Mr. LEVINE of California.

Mr. RICHARDSON.

Mr. SABO.

Mr. WEISS.

Mr. SCHEUER.

Mr. LAUGHLIN.

Mr. VENTO.

Mr. HAMILTON.

Mr. MOODY.

Mr. REED.

Mr. TOWNS.

Mr. HOCHBRUECKNER in two instances.

Mr. SERRANO.

Mr. DOWNEY.

Mr. SLATTERY.

Mr. DYMALLY.

Mr. ASPIN.

Mr. GLICKMAN.

SENATE JOINT RESOLUTIONS AND CONCURRENT RESOLUTION REFERRED

Joint resolutions and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 221. Joint resolution providing for the appointment of Hanna Holborn Gray as a citizen regent of the Smithsonian Institution; to the Committee on House Administration.

S.J. Res. 259. Joint resolution providing for the appointment of Barber B. Conable, Jr. as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S.J. Res. 275. Joint resolution providing for the appointment of Wesley Samuel Williams, Jr. as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S. Con. Res. 112. Concurrent resolution to authorize printing of "Thomas Jefferson's Manual of Parliamentary Practice", as prepared by the Office of the Secretary of the Senate; to the Committee on House Administration.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. ROSE, from the Committee on House Administration, reported that

that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2818. An act to designate the Federal building located at 78 Center Street in Pittsfield, Massachusetts, as the "Silvio O. Conte Federal building", and for other purposes;

H.R. 3041. An act to designate the Federal building located at 1520 Market Street, St. Louis, Missouri, as the "L. Douglas Abram Federal Building";

H.R. 4548. An act to authorize contributions to United Nations peacekeeping activities; and

H.J. Res. 509. Joint resolution to extend through September 30, 1992, the period in which there remains available for obligation certain amounts appropriated for the Bureau of Indian Affairs for the school operations costs of Bureau-funded schools.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2703. An act to authorize the President to appoint General Thomas C. Richards to the Office of Administrator of the Federal Aviation Administration.

ADJOURNMENT

Mr. DORNAN of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 1 minute p.m.) the House adjourned until tomorrow, Thursday, June 25, 1992, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3808. A letter from the Secretary of Education, transmitting notice of final funding priority—Technology, Educational Media, and Materials for Individuals with Disabilities Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3809. A letter from the Secretary of Health and Human Services, transmitting the Annual Sudden Infant Death Syndrome (SIDS) Research Program Report; to the Committee on Energy and Commerce.

3810. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions of Richard H. Solomon, of Maryland, to be Ambassador to the Republic of the Philippines, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3811. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

3812. A letter from the Secretary of the Treasury, transmitting the Secretary's semi-annual report, covering the period October 1,

1991 through March 31, 1992, pursuant to Public Law 95-452, section 5(b), (102 Stat. 2526); to the Committee on Government Operations.

3813. A letter from the Secretary of Defense, transmitting the Department's semi-annual report to Congress on audit, inspection, and investigative activities for the 6-month period ending March 31, 1992, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3814. A letter from the Secretary of Education, transmitting the sixth semiannual report to Congress on audit follow-up, covering the period from October 1, 1991 through March 31, 1992, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3815. A letter from the Assistant Vice President (Human Resources), Western Farm Credit Bank, transmitting the fiscal year 1991 annual pension plan report of the Western Farm Credit Bank, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Operations.

3816. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3817. A letter from the Secretary, Department of Transportation, transmitting the annual report to Congress on transportation security, pursuant to Public Law 101-604, section 102(a) (104 Stat. 3068); to the Committee on Public Works and Transportation.

3818. A letter from the Secretary of Health and Human Services, transmitting the Secretary's report on the operation of utilization and quality control peer review organizations for fiscal year 1989, pursuant to 42 U.S.C. 1320c-10; jointly, to the Committees on Energy and Commerce and Ways and Means.

3819. A letter from the Secretary of the Treasury, Director of Office of Management and Budget, transmitting a draft of proposed legislation entitled, "Federal Credit and Debt Management Act of 1992"; jointly, to the Committees on the Judiciary and Ways and Means.

3820. A letter from the National Oceanic and Atmospheric Administration, transmitting a copy of the report "Review of FY 1993 Agency Requests for Appropriations to Support Marine Pollution Research, Development, and Monitoring Programs," pursuant to 33 U.S.C. 1703(a); jointly, to the Committees on Merchant Marine and Fisheries and Science, Space, and Technology.

3821. A letter from the Secretary of Transportation, transmitting the Secretary's determination that Ezeiza International Airport [EZE], Buenos Aires, Argentina, was not maintaining and administering effective security measures; jointly, to the Committees on Public Works and Transportation and Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROE: Committee on Public Works and Transportation. H.R. 4438. A bill to designate the Federal building located at 501 West Ocean Boulevard in Long Beach, CA, as the "Glenn M. Anderson Federal Building"

(Rept. 102-611). Referred to the House Calendar.

Mr. ROE: Committee on Public Works and Transportation. H.R. 5222. A bill to designate the Federal building and U.S. courthouse located at 204 South Main Street in South Bend, IN, as the "Robert A. Grant Federal Building and United States Courthouse" (Rept. 102-612). Referred to the House Calendar.

Mr. WHEAT: Committee on Rules. House Resolution 500. Resolution waiving the requirement of clause 4(b) of rule XI, against consideration of certain resolutions reported from the Committee on Rules (Rept. 102-613). Referred to the House Calendar.

Mr. HALL of Ohio: Committee on Rules. House Resolution 501. Resolution providing for consideration of the bill (H.R. 5368) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1993, and for other purposes (Rept. 102-614). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COX of California (for himself and Mr. HUNTER):

H.R. 5473. A bill to authorize a land exchange involving the Cleveland National Forest, CA, and a corresponding boundary adjustment for the forest, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. EDWARDS of Oklahoma:

H.R. 5474. A bill to amend the Trade Act of 1974 to require the U.S. Trade Representative to restrict the importation into the United States of goods and services from nations that do not maintain open markets to U.S. goods and services, do not refrain from government subsidies or other intrusive trade practices with respect to goods and services exported to the United States from such nation, and do not extend reciprocal treatment to goods and services exported from the United States to such nation; to the Committee on Ways and Means.

By Mr. HUGHES (for himself, Mr. MOORHEAD, Mrs. SCHROEDER, Mr. FRANK of Massachusetts, Mr. BOUCHER, Mr. COBLE, Mr. FISH, and Mr. SENSENBRENNER):

H.R. 5475. A bill providing policies with respect to approval of bills providing for patent term extensions, and to extend certain patents; to the Committee on the Judiciary.

By Mr. LAFALCE (for himself, Mr. NOWAK, Mr. PAXON, Mr. HOUGHTON, Mr. HORTON, and Mr. MCHUGH):

H.R. 5476. A bill to provide for the minting of coins to commemorate the World University Games; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MORAN:

H.R. 5477. A bill to amend title 13, United States Code, to require that the population characteristics reflected in interim data collected by the Secretary of Commerce between decennial censuses include data relating to urban, rural, below-poverty, and farming populations; to the Committee on Post Office and Civil Service.

By Mr. MORAN (for himself, Mr. SHAW, Mr. THOMAS of Georgia, Mr. MCCURDY, Mr. HEFNER, Mr. BILIRAKIS, Mr. LAUGHLIN, Mrs. LLOYD, Mr. MONTGOMERY, Mr. GOSS, Mr. RAY, Mr.

SPENCE, Mr. SISISKY, Mr. HAYES of Louisiana, Mr. BROWDER, Mr. PETERSON of Florida, Mr. FROST, Mr. CRAMER, Mr. HARRIS, Mr. SPRATT, Mr. BACCHUS, Mrs. PATTERSON, Mr. ORTIZ, Mr. JENKINS, Mr. COLORADO, and Mr. GEREN of Texas):

H.R. 5478. A bill to require that, in the administration of any benefits program established by or under Federal law which requires the use of data obtained in the most recent decennial census, the 1990 adjusted census data be considered the official data for such census; to the Committee on Post Office and Civil Service.

By Mr. MORAN:

H.R. 5479. A bill to designate the facility of the U.S. Postal Service located at 1100 Wythe Street in Alexandria, VA, as the "Helen Day United States Post Office Building"; to the Committee on Post Office and Civil Service.

By Mr. MORRISON:

H.R. 5480. A bill to authorize the Secretary of Agriculture to convey certain real property in the Wenatchee National Forest, Washington, to the Public Utility District No. 1 of Chelan County, WA, in exchange for other real property; to the Committee on Interior and Insular Affairs.

By Mr. OBERSTAR:

H.R. 5481. A bill to amend the Federal Aviation Act of 1958 relating to administrative assessment of civil penalties; to the Committee on Public Works and Transportation.

By Mr. OWENS of New York:

H.R. 5482. A bill to revise and extend the programs of the Rehabilitation Act of 1973, and for other purposes; to the Committee on Education and Labor.

H.R. 5483. A bill to modify the provisions of the Education of the Deaf Act of 1986, and for other purposes; to the Committee on Education and Labor.

By Mr. SLATTERY:

H.R. 5484. A bill to provide for the establishment of the Civil Rights in Education: Brown versus Board of Education National Historic Site in the State of Kansas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STARK:

H.R. 5485. A bill to amend the Internal Revenue Code of 1986 to disallow any deduction for amounts paid or incurred for certain prescription-related advertisements, and for other purposes; to the Committee on Ways and Means.

By Mr. THOMAS of Georgia (for himself, Mr. JONES of North Carolina, Mr. SCHULZE, and Mr. LEHMAN of California):

H.R. 5486. A bill to clarify the law enforcement authority of law enforcement officers of the U.S. Fish and Wildlife Service; to the Committee on Merchant Marine and Fisheries.

By Mr. HAYES of Louisiana:

H.J. Res. 514. Joint resolution to encourage a national policy enhancing commercial financial liquidity for the promotion of a speedy and robust economic recovery; to the Committee on Banking, Finance and Urban Affairs.

By Mr. HEFLEY:

H. Res. 502. Resolution to amend the rules of the House of Representatives to provide for reform of the House of Representatives, and for other purposes; to the Committee on Rules.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 371: Mr. GILCREST.
 H.R. 1077: Mr. TAYLOR of North Carolina.
 H.R. 1134: Mr. BUSTAMANTE.
 H.R. 1200: Mr. HAMILTON, Mr. BEREUTER, and Mr. WILSON.
 H.R. 1246: Mr. VENTO.
 H.R. 1321: Mr. FROST, Ms. NORTON, and Mr. PERKINS.
 H.R. 1623: Mr. LEHMAN of California.
 H.R. 1753: Mr. VISCLOSKEY.
 H.R. 1900: Mr. COBLE and Mr. TOWNS.
 H.R. 2164: Mr. BARNARD and Mr. HASTERT.
 H.R. 2200: Mr. GINGRICH.
 H.R. 2223: Mr. MOODY and Mr. MCHUGH.
 H.R. 2580: Mr. BONIOR, Mr. OBERSTAR, and Mr. RANGEL.
 H.R. 2862: Mr. SKEEN, Mr. MCCOLLUM, Mr. SCHIFF, and Mr. ZELIFF.
 H.R. 3026: Mr. STUDDS.
 H.R. 3221: Mr. MYERS of Indiana, Mr. MCCURDY, Mr. JACOBS, and Mr. BUSTAMANTE, Mr. BOEHNER, Mr. JOHNSTON of Florida, Mr. SMITH of Texas, Mr. MCEWEN, Mr. JAMES, Mr. JONES of Georgia, Mr. ROHRBACHER, and Mr. LUKEN.
 H.R. 3441: Mr. COMBEST.
 H.R. 3462: Mr. PETERSON of Minnesota, Mr. KILDEE, Mr. WELDON, Mr. MILLER of California, Mr. THOMAS of Georgia, and Mr. LEWIS of Georgia.
 H.R. 3626: Mr. SABO.
 H.R. 3627: Mr. OLVER.
 H.R. 3939: Mr. TORRICELLI and Mr. CAMPBELL of Colorado.
 H.R. 3967: Mr. COMBEST.
 H.R. 4099: Mr. DELAY.
 H.R. 4109: Mr. MOLLOHAN.
 H.R. 4208: Mrs. UNSOELD.
 H.R. 4214: Mr. OWENS of New York, Mr. LAGOMARSINO, Mrs. LOWEY of New York, Mr. GEREN of Texas, and Mr. WILLIAMS.
 H.R. 4229: Mr. BUSTAMANTE.
 H.R. 4275: Mr. DOWNEY and Mr. CRANE.
 H.R. 4305: Mr. LAGOMARSINO.
 H.R. 4399: Mr. MAVROULES.
 H.R. 4418: Mr. FROST, Mr. MCMILLEN of Maryland, Mr. PACKARD, and Mr. HORTON.
 H.R. 4427: Mr. MACHTLEY.
 H.R. 4493: Mr. FISH.
 H.R. 4564: Mr. FIELDS.
 H.R. 4700: Mr. BUSTAMANTE, Mr. ZELIFF, and Mr. FEIGHAN.

H.R. 4724: Mr. ASPIN, Mr. BORSKI, Mr. BROWDER, Mr. NEAL of North Carolina, Mr. PICKETT, and Mr. TALLON.
 H.R. 4754: Mr. BUSTAMANTE.
 H.R. 4839: Mr. PETERSON of Minnesota.
 H.R. 4846: Ms. PELOSI, Mr. LIPINSKI, Mr. BUNNING, Mr. HAYES of Illinois, Mr. TOWNS, and Mr. WELDON.
 H.R. 4897: Mr. RIGGS.
 H.R. 5026: Mr. PERKINS and Mr. BEREUTER.
 H.R. 5090: Mr. OXLEY, Mr. GALLO, and Mr. ZELIFF.
 H.R. 5209: Mr. LEHMAN of California.
 H.R. 5237: Mr. HANCOCK and Mr. SKELTON.
 H.R. 5258: Mr. HOBSON, Mr. KOLBE, Mr. LAGOMARSINO, Mr. MACHTLEY, Mr. MILLER of Ohio, Mr. UPTON, Mr. WELDON, Mr. BLACKWELL, Mr. BILBRAY, Mr. ENGEL, Mr. JEFFERSON, Mr. DORGAN of North Dakota, Mr. FROST, Mrs. KENNELLY, Mr. LANCASTER, Mr. PETERSON of Minnesota, and Mr. REED.
 H.R. 5294: Mr. SYNAR.
 H.R. 5307: Mr. IRELAND, Mr. TALLON, Mr. FROST, Mr. LANCASTER, Mr. JOHNSTON of Florida, and Mr. RAY.
 H.R. 5316: Mr. MORRISON.
 H.R. 5320: Mr. KOLTER.
 H.R. 5323: Mr. HORTON and Mr. FROST.
 H.R. 5360: Mr. JEFFERSON.
 H.R. 5378: Mr. WHEAT.
 H.R. 5385: Mr. FRANK of Massachusetts, Mr. KLECZKA, Mr. LIPINSKI, and Mr. FROST.
 H.R. 5405: Mr. PETERSON of Minnesota, Mr. SMITH of Florida, Mr. JOHNSON of South Dakota, and Mr. BILIRAKIS.
 H.R. 5421: Mr. BARRETT and Mr. RITTER.
 H.R. 5424: Mrs. MORELLA, Mr. OWENS of Utah, Ms. PELOSI, Mr. SIKORSKI, Mr. BEILEN, Mr. BLACKWELL, Mr. FEIGHAN, Mr. SCHEUER, and Mrs. UNSOELD.
 H.J. Res. 122: Mr. ROGERS.
 H.J. Res. 336: Mr. BUSTAMANTE.
 H.J. Res. 399: Mr. JOHNSON of South Dakota and Mr. BATEMAN.
 H.J. Res. 415: Mr. NAGLE, Mr. CHAPMAN, Mr. MCDADE, Mr. RITTER, Mr. POSHARD, Mr. TAYLOR of Mississippi, and Mr. DEFAZIO.
 H.J. Res. 440: Mr. BUSTAMANTE, Ms. DELAULO, Mr. HAYES of Illinois, Mr. HORTON, Mr. LAFALCE, Mr. MOAKLEY, Mr. NEAL of North Carolina, and Mr. PETERSON of Minnesota.

H.J. Res. 450: Mr. HAYES of Illinois, Mr. PARKER, Mr. HUNTER, Mr. CLEMENT, Ms. DELAULO, Mr. ERDREICH, Mr. MCCANDLESS, Mr. KANJORSKI, Mr. BILIRAKIS, and Mr. KOLTER.
 H.J. Res. 455: Mr. SLATTERY, Ms. NORTON, Mr. DELLUMS, Mr. MAVROULES, Mr. ORTON, and Mr. FROST.
 H.J. Res. 461: Mr. TRAFICANT, Mr. FEIGHAN, and Mr. LEVINE of California.
 H.J. Res. 476: Mr. JOHNSON of South Dakota.
 H.J. Res. 483: Mr. FROST, Mr. GUARINI, and Mr. MCCANDLESS.
 H.J. Res. 486: Mr. KENNEDY, Mr. MATSUI, Mr. PAYNE of New Jersey, Mr. OWENS of Utah, Mr. CARR, Mr. HUCKABY, Mr. DE LUGO, Mrs. BYRON, Mr. HALL of Ohio, Mrs. COLLINS of Illinois, Mr. VALENTINE, Mrs. LOWEY of New York, Mr. DEFAZIO, Ms. DELAULO, Mr. POSHARD, Mr. MOORHEAD, Mr. ALEXANDER, Mr. ANDERSON, and Mr. MACHTLEY.
 H.J. Res. 489: Mr. MATSUI, Mr. STAGGERS, Mr. ARCHER, Mr. THOMAS of Georgia, Mr. COLEMAN of Texas, Mr. PICKLE, Mr. MILLER of Washington, Mrs. UNSOELD, Mr. MCMILLEN of Maryland, Mr. NEAL of Massachusetts, Mr. VOLKMER, Mr. KOPETSKI, and Mr. UPTON.
 H.J. Res. 493: Mr. SPRATT, Mr. BUSTAMANTE, Mrs. MEYERS of Kansas, Mr. TORRICELLI, Mr. GUNDERSON, Mr. McNULTY, Mr. ROE, and Mr. NEAL of North Carolina.
 H.J. Res. 508: Mr. TOWNS, Mrs. MEYERS of Kansas, Mr. LAGOMARSINO, Mr. SWETT, Mr. FOGLIETTA, Mr. LEHMAN of Florida, Mr. MFUME, Ms. DELAULO, Ms. MOLINARI, and Mr. HAYES of Illinois.
 H. Con. Res. 179: Mr. VANDER JAGT.
 H. Con. Res. 246: Mr. LANCASTER, Mr. TAUZIN, and Mr. CARR.
 H. Con. Res. 307: Mr. BUSTAMANTE.
 H. Con. Res. 335: Mr. MCCOLLUM.
 H. Res. 297: Ms. DELAULO.
 H. Res. 388: Mr. ENGEL, Mr. GREEN of New York, and Mr. BUSTAMANTE.
 H. Res. 415: Mr. MURPHY, Mr. MCCOLLUM, Mr. BORSKI, Mr. ACKERMAN, Mr. WEISS, Mr. MCDADE, and Mr. REGULA.
 H. Res. 417: Mr. ROE and Mr. BUSTAMANTE.
 H. Res. 472: Mr. ZELIFF, Mr. ALLEN, and Mr. CRANE.